

JOURNAL
OF THE
S E N A T E
OF
ALABAMA

REGULAR SESSION 1957

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 7, 1957



Vol. I

WITH INDEX PREPARED BY THE
SECRETARY OF THE SENATE

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State of Alabama

JOURNAL
OF THE
SENATE
OF THE
STATE OF ALABAMA
REGULAR SESSION 1957

FIRST DAY

MAY 7, 1957

This being the first Tuesday in May, A. D., 1957, and the day fixed by law and the Constitution of the State of Alabama, for the biennial meeting of the Legislature of Alabama:

The Senate of Alabama assembled in the Senate Chamber in the City of Montgomery at 12 o'clock Noon, and was called to order by Lieutenant Governor Hardwick, President of the Senate.

J. E. Speight, Secretary, was present and acted as such according to law.

PRAYER

The Senate was led in prayer by Rev. W. H. Swearingen, Pastor, Sampey Memorial Baptist Church, Ramer, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Calvin	Goodwin	Moses	Tate
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones	Roberts	Yarbrough (Randolph)
Dyar			—32

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
Montgomery, Alabama
State Capitol

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

MAY 7, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Since the last meeting of the Legislature, I have received a resignation from Senator James S. Coleman, Jr., Senator from the Thirty-Second District, composed of Greene and Hale Counties, which said resignation is attached hereto.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing message from His Excellency, the Governor, was read and ordered spread upon the Journal.

THE STATE OF ALABAMA

Department of State

I, Mary Texas Hurt Garner, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that in accordance with the provisions of Amendment XCVII of the Constitution of 1901 which became effective on December 23, 1953, the election called by the Governor for April 30, 1957, to fill the vacancy in the office of Senator from the Thirty-Second District was not required to be held. I further certify that David M. Hall, being unopposed in his candidacy for the above mentioned office, is duly elected as Senator from the Thirty-Second District of Alabama.

(SEAL)

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol in the City of Montgomery, this Fourth day of March, One Thousand Nine Hundred and Fifty-Seven.

MARY TEXAS HURT GARNER,
Secretary of State.

OATH OF OFFICE

Upon the request of the President and Presiding Officer of the Senate, Honorable W. G. Hardwick, the Senator-Elect came forward, presented his credentials, and Lieutenant Governor Hardwick administered to David M. Hall the oath of office prescribed by the Constitution of the State, and the Senator-Elect came forward and subscribed his name to the oath as follows:

OATH OF OFFICE

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability, so help me God.

DAVID M. HALL.

COMMITTEE ASSIGNMENTS ANNOUNCED

The President and Presiding Officer of the Senate announced the following committee assignments for Honorable David M. Hall, to-wit:

Chairman, Privileges and Elections; Judiciary; Banking; Education; Immigration, Industrial Resources and Labor; Temperance; Rules.

RESOLUTIONS

Mr. Davis (Pickens) offered the following Senate Resolution, to-wit:

S. R. 1. RESOLVED, That a warm and cordial welcome is hereby extended to The Honorable David Hall, the Gentleman from Greene, who has been selected to represent the counties composing the Thirty-second District since the last meeting of this body. Senator Hall is a distinguished lawyer and civic leader. He served honorably and well as the representative from Greene County in the House of Representatives during the second administration of the illustrious Governor, Bibb Graves.

And on motion of Mr. Davis (Pickens), the rules were suspended, and said resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Allen:

S. 1. To propose an amendment to the Constitution of Alabama relating to the sessions of the Legislature and the compensation of the members thereof.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Allen:

S. 2. Proposing an amendment to the Constitution of Alabama relating to suffrage; abolishing the poll tax as a pre-requisite to voting.

Committee on Privileges and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Allen:

S. 3. Relating to poll taxes; repealing Chapter 13, Title 51, Code of Alabama (1940).

Committee on Privileges and Elections.

By Mr. Allen:

S. 4. To amend further Section 25 of Title 36, Code of Alabama (1940), which makes it unlawful in certain cases to park or leave standing certain vehicles, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, by authorizing any peace officer to remove any such vehicle or any disabled vehicle or require the driver or persons in charge of any such vehicle or any disabled vehicle to remove such vehicle.

Committee on Public Roads and Highways.

By Messrs. Calvin, Robison, Moses, Engelhardt, Little, Davis (Lowndes), Davis (Pickens), Yarbrough (Autauga), Boutwell, Shelton, Dyar, Givhan, Reeves, Eddins, Hall, Smith, Bradford, Tate, Jones and James:

S. 5. Regulating the procedure of the state purchasing agent and others in the purchase of personal property and contractual services for

the use of any state department, institution, agency, or political subdivision making such purchases through the division of purchases and stores; creating a committee on standard specifications; and prescribing penalties.

Committee on Finance and Taxation.

By Mr. Dyar:

S. 6. To amend Section 1 of Act No. 116, H. 63, approved June 20, 1951 (Acts of Alabama, 1951, p. 343, entitled "An Act To prohibit the obtaining of money, property, or thing of value, or the payment of any obligation, by the means of making, uttering, or delivering a worthless check, draft, or order for the payment of money, fixing the punishment for violations of this Act, prescribing a rule of evidence for prosecutions hereunder, and repealing conflicting laws."

Committee on Judiciary.

By Mr. Dyar:

S. 7. Regulating the sale and purchase of milk for use in certain public schools; authorizing the purchase of milk for use in public school systems on the basis of competitive bids and prescribing the procedure for soliciting bids and awarding contracts; exempting milk sold to public school systems on the basis of competitive bids from regulations and orders fixing a minimum price therefor promulgated by the Alabama State Milk Control Board or any other organization; prohibiting donations from milk dealers as an inducement to acceptance of a bid, and prescribing penalties therefor.

Committee on Finance and Taxation.

By Mr. Dyar:

S. 8. To regulate further the sale of timber on lands forming a part of the state park system; and prescribing penalties.

Committee on Forestry and Conservation.

By Messrs. Shelton, Moses, Yarbrough (Randolph), Boutwell, Lamberth, Flowers, Calvin, Skidmore, Metcalf and Roberts:

S. 9. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Shelton and Davis (Pickens):

S. 10. To provide further for the government of the state highway department; to abolish the office of state highway director and to establish a state highway commission in lieu thereof; to provide for the election of the members of the commission, and for their compensation, functions, jurisdiction, powers, and duties; to provide for the appointment of a chief engineer and other officers and employees necessary to administer the highway function; to repeal conflicting laws; and to provide for the operation of the provisions of the Act.

Committee on Public Roads and Highways.

By Messrs. Shelton, Moses, Dyar, Newton and Roberts:

S. 11. Relating to legislative representation; fixing the membership of the House of Representatives and reapportioning such membership

among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Committee on Judiciary.

By Messrs. Roberts, Metcalf, Givhan and Smith:

S. 12. To fix the compensation of Circuit Solicitors payable from the State Treasury.

Committee on Finance and Taxation.

By Mr. Yarbrough (Randolph):

S. 13. To fix the minimum compensation of certain persons appointed to or employed in positions in the public schools or state institutions of higher learning.

Committee on Finance and Taxation.

By Mr. Yarbrough (Randolph):

S. 14. Relating to schools: To create and establish the State Tenure Commission.

Committee on Education.

By Mr. Yarbrough (Randolph):

S. 15. To Validate elections held since February 18, 1955, under the provisions of Article 6 or 7 of Chapter 10, Title 52, Code of Alabama, 1940.

Committee on Education.

By Messrs. Lamberth, Flowers, Givhan, Shelton, Yarbrough (Autauga), Davis (Lowndes), Davis (Pickens), Little, Reeves, Eddins, Hall, Boutwell, Cooper, James, Tate, Roberts and Engelhardt:

S. 16. To exempt all livestock (including poultry) from all taxes levied and assessed on property according to its value.

Committee on Finance and Taxation.

By Messrs. Lamberth, Flowers, Givhan, Reeves, Vann, Cooper, Tate, James, Roberts, Allen, Engelhardt, Eddins and Robinson:

S. 17. To amend further Section 38 of Title 8, Code of Alabama (1940), which relates to licenses for fishing by residents.

Committee on Finance and Taxation.

By Messrs. Lamberth, Allen, Flowers, Givhan, Reeves, Boutwell, Roberts, Little, Skidmore, Davis (Pickens), Moses, Davis (Lowndes), Vann, Cooper, Tate, James, Grisham, Engelhardt, and Eddins:

S. 18. To provide for a refund of a portion of the state tax paid on gasoline used exclusively for farming purposes; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 19. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 20. To amend Sections 5 and 8 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 21. To make an appropriation for the support of the Council of State Governments.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 22. To make an appropriation for the support of the Southern Regional Council on Mental Health Training and Research.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 23. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 24. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 25. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 26. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 27. To make annual appropriation to the Department of Conservation for capital outlay purposes for each of the fiscal years ending September 30, 1958 and September 30, 1959 for the Division of Forestry, Game and Fish, and Seafoods from the funds in the State Treasury to the credit of each such Division.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 28. To provide a Revolving Fund for the Department of Finance, Division of Service Mail and Supply Room; and to make an appropriation thereto.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 29. To amend Sections 36, 39, 40, 41, 54, 59, 71, 115, 117, 119, 140, 161, 162, 172, 188, 191, and 198 and to repeal Sections 47, 48, 158, 159, 184, 185, 190, and 201, of Title 35, Code of Alabama 1940, as amended, all of which relate to military and naval affairs of the State of Alabama.

Committee on Finance and Taxation.

By Messrs. Lamberth, Roberts and Flowers:

S. 30. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1958 and September 30, 1959, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Committee on Finance and Taxation.

By Messrs. Lamberth, Metcalf, Roberts and Flowers:

S. 31. To propose an amendment to the Constitution of Alabama that the Court of Appeals be constituted as the Court of Criminal Appeals with final, exclusive, and irrevocable supreme appellate jurisdiction coextensive with the limits of the State in all criminal and quasi-criminal cases of whatsoever grade; and with power to issue such original, remedial, and extraordinary writs as may be necessary to give it a general superintendency and control of inferior jurisdictions; and that the judges of the Court of Appeals holding office at the time said amendment shall become effective, or who shall be elected to a future term on the Court of Appeals, shall constitute the judges of said court for the remainder of the terms for which they were chosen as judges of the Court of Appeals.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Lamberth, Metcalf and Roberts:

S. 32. To provide for the Court of Criminal Appeals of Alabama.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Skidmore:

S. 33. To repeal Act No. 430, H. 222, approved August 28, 1953, which is known as the "Right to Work Act," and entitled "An Act to provide that the right of a person to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization, and to prohibit agreements or combinations requiring membership in a labor union or labor organization as a condition of employment or continuation of employment, and to provide for rights and remedies with reference thereto" (Acts of 1953, Vol. I, pp. 535-537).

Committee on Immigration, Industrial Resources and Labor.

By Mr. Skidmore:

S. 34. To provide for the support, operation and maintenance of the Alabama Wing, Civil Air Patrol; making appropriations for such purpose.

Committee on Finance and Taxation.

By Mr. Newton:

S. 35. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County, Alabama.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

I am directed to notify the Senate that the House of Representatives is now in session and has completed its organization by the election of the following as Clerk of the House:

Oakley W. Melton, Jr.

and is now ready for the transaction of public business.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hawkins:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring, that a joint session of the House and Senate be held at 12:45 P. M. today for the purpose of hearing the message of the Honorable James E. Folsom, Governor of Alabama.

BE IT FURTHER RESOLVED, that a Committee of three from the House, to be named by the Speaker of the House, and a Committee of Two from the Senate, to be named by the presiding officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session in the House of Representatives for the purpose of receiving his message.

BE IT ALSO FURTHER RESOLVED that at the request of the Governor, the Speaker of the House and the Lieutenant Governor an invitation be extended to the Chief Justice and Associate Justices of the Supreme Court and the Presiding Judge and Associate Judges of the Court of Appeals to attend this Joint Session at 12:45 P. M.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Merrill, Brown (Lee) and Pruitt.

And sends same herewith to the Senate for its consideration.

OAKLEY W. MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, HJR 2, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

The President and Presiding Officer of the Senate appointed as Committee on Part of the Senate Messrs. Smith and Calvin.

MOTION TO RECESS ADOPTED

At 12:40 P. M., Mr. Lamberth moved that at the completion of the Joint Session, the Senate take a recess until 2:30 o'clock this afternoon, which was adopted.

JOINT SESSION

The hour of 12:45 P. M. having arrived, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the hall of the House of Representatives for the purpose of hearing the message of His Excellency, the Governor.

The Joint Session was called to order by Lieutenant Governor Hardwick, President and Presiding Officer of the Senate. A quorum of the Legislature was present.

Thereupon, Honorable James E. Folsom was escorted to the chair and delivered his message to the Legislature of Alabama. (See House Journal for Governor's Message.)

The purpose of the Joint Session having been accomplished, and in accordance with Resolution heretofore adopted, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION
FIRST LEGISLATIVE DAY
TUESDAY, MAY 7, 1957

The Senate reassembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Newton:

S. 36. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment of the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

AMENDMENT

"The legislature may from time to time, by general or local laws, fix, alter, and regulate the costs and charges of court and the fees, commissions, percentages, allowances, and salaries, including the method or basis of their compensation, to be charged or received by the judge of probate, sheriff, clerk and register of the circuit court, tax assessor and tax collector of Walker County, and may place any of such officers on a salary and provide that the fees, commissions, percentages, and allowances collected by such officers shall be paid into the county treasury from which their salaries shall be paid."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

REUBEN L. NEWTON.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice hav-

ing appeared in the issues of said paper on April 4, 11, 18, and 25, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 6, 1957.

FAY O'REAR,
Notary Public.

By Mr. Newton:

S. 37. Relating to Walker County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, wit-to:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Walker County shall receive the following annual salaries in lieu of all other compensation:

- (a) Judge of Probate—Six thousand dollars (\$6,000);
- (b) Sheriff—Five thousand dollars (\$5,000);
- (c) Tax Assessor—Five thousand dollars (\$5,000);
- (d) Tax Collector—Five thousand dollars (\$5,000);
- (e) Circuit Clerk—Four thousand dollars (\$4,000);
- (f) Register of the Circuit Court—Three thousand six hundred dollars (\$3,600).

Section 2. The governing body of Walker County shall provide the offices enumerated in Section 1 of this Act allowances for the purpose of hiring clerks, deputies, and other assistants as follows:

- (a) Office of the Judge of Probate: Eight thousand dollars (\$8,000) annually;
- (b) Office of the Sheriff: Ten thousand dollars (\$10,000) annually;
- (c) Office of the Tax Assessor: Four thousand dollars (\$4,000) annually;

(d) Office of the Tax Collector: Two thousand four hundred dollars (\$2,400) annually;

(e) Office of the Circuit Clerk: Two thousand four hundred dollars (\$2,400) annually.

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected for the use of the county and paid into the county treasury. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies, and assistants shall be paid in equal monthly installments from the county treasury in the same manner as employees of the county are paid.

Section 4. This governing body of Walker County shall provide the judge of probate, sheriff, tax assessor, tax collector, circuit clerk, and the register of the circuit court with the necessary quarters, books, stationery, office equipment, supplies, postage, and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices, including the purchase of automobiles for the use of the sheriff and his deputies on official business.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each officer named herein upon the expiration of the term of the incumbent of the offices, provided that there is adopted an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the fees, commissions, percentages, allowances, or salaries of, and the method of compensating, judge of probate, sheriff, tax assessor, tax collector, circuit clerk, and register of the circuit court of Walker County.

REUBEN L. NEWTON.

4-4-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 6, 1957.

FAY O'REAR,
Notary Public.

By Mr. Newton:

S. 38. To create and establish the office of Superintendent of Reforestation in the Conservation Department of the State of Alabama, to provide, authorize, and empower the Superintendent of Reforestation,

acting with and through the Department of Corrections and Institutions to use convict guards and convict labor in reforestation projects throughout the State of Alabama, to requisition from the Department of Corrections and Institutions such convict guards and convict labor from time to time as may be available for us in Reforestation projects to pay the Department of Corrections and Institutions for the use of convict guards and convict labor used in the furtherance of reforestation, to authorize and empower the Superintendent of Reforestation to furnish such convict guards and convict labor as may be available for use by Alabama land owners, upon requisition of such land owners, to authorize and empower the Superintendent of Reforestation to demand and collect from requisitioning land owners ten dollars per acre for each acre of land in any reforestation project on which such requisitioned convict guards and convict labor are used on connection with reforestation, to limit to forty acres the amount of land for reforestation to each requisitioning landlord for each calendar year, to authorize and empower the Superintendent of Reforestation to use District Foresters of Alabama, in cooperation with the County Farm Agents of Alabama in supervising the work of convict guards and convict labor on reforestation projects, to authorize and empower the Superintendent of Reforestation to employ such clerical and other personnel as may be deemed necessary and expedient to successful reforestation throughout the State of Alabama, to authorize and empower the Superintendent of Reforestation to purchase, acquire, own and use such machinery, tools, utensils, equipment, seeds, seedlings, and all other articles necessary and proper and incidental to successful reforestation including among other things, forest fire prevention, to authorize and empower the Governor of the State of Alabama to appoint and fix the salary and term of office of the Superintendent of Reforestation and to make an appropriation for the operation and maintenance of the office of Superintendent of Reforestation, for the payment of salaries and wages of the personnel of said office, for the purchase of equipment, tools, materials and supplies necessary to carry out and fulfill the purposes of this Act.

Committee on Finance and Taxation.

By Messrs. Engelhardt, Shelton, Allen, Robison, Goodwin, Givhan, Jones, Reeves, Calvin, Davis (Lowndes), Hall, Vann, Cantrell, Skidmore, Davis (Pickens), Eddins, Tate, Little, Cooper, Grisham, Leonard, Yarbrough (Randolph), Lamberth, Roberts, Smith, Yarbrough (Autauga), James, Newton, Metcalf, Bradford, Flowers and Boutwell:

S. 39. To provide that the assignment of children to school is a judicial function, and to constitute all members of boards of education, and other school officials and employees as judicial officers; and to define the liability of such boards, and the members thereof, and of school officials and employees for libel, slander, and other actions, both civil and criminal.

Committee on Education.

By Messrs. Boutwell, Engelhardt, Shelton, Robison, Givhan, Reeves, Davis (Lowndes), Vann, Skidmore, Davis (Pickens), Eddins, Tate, Little, Grisham, Cooper, Leonard, Yarbrough (Randolph), Lamberth, Jones, Calvin, Hall, James, Cantrell, Roberts, Goodwin, Smith, Yarbrough (Autauga), Allen, Newton, Metcalf, Bradford and Flowers:

S. 40. To provide that the Attorney General, and his assistants, shall defend all actions, suits, or proceedings brought against the State, or any subdivision thereof, or any school board or board of education, or any member, officer, or employee thereof, or against any school official or employee, involving any act or omission pertaining to the admission or the refusal to admit any person to a school in this State, and shall also, upon request, furnish legal advice and assistance to such boards, or to

the members, officers, or employees thereof, or to school officials or employees, upon any matter relating to the commingling of the races in a school in his State; and to make an appropriation for such purposes.

Committee on Education.

By Messrs. Boutwell, Shelton, Engelhardt, Smith, James, Robison, Givhan, Reeves, Davis (Lowndes), Vann, Skidmore, Davis (Pickens), Eddins, Tate, Little, Grisham, Cooper, Leonard, Yarbrough (Randolph), Lamberth, Roberts, Calvin, Bradford, Flowers, Cantrell, Goodwin, Yarbrough (Autauga), Allen, Newton and Metcalf:

S. 41. To amend further Section 362, Title 52, Code of Alabama (1940), as amended, which defines certain words and phrases used in connection with the provisions of law regulating the Teachers' Retirement System of Alabama.

Committee on Education.

By Mr. Boutwell:

S. 42. To Amend Section 151 of Chapter 8 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 206 of Acts of the 1943 Session of the Legislature, and as amended by Act No. 418 of the 1951 Regular Session of the Legislature.

Committee on Judiciary.

By Mr. Goodwin:

S. 43. To amend Section 56 of Title 19, Code of Alabama (1940), which relates to rights of way to public roads or highways.

Committee on Public Roads and Highways.

By Messrs. Givhan and James:

S. 44. Making an appropriation for the relief of B. L. Massengale of Uniontown, Alabama.

Committee on Finance and Taxation.

By Mr. Bradford:

S. 45. Relating to Clarke County: Authorizing the County Board of Education of Clarke County to remove or terminate the contract of employment of any teacher, as that term is defined in Sec. 351 of Title 52, Code of Alabama of 1940, as amended, or any bus driver, in the county school system who is eligible for retirement under the old-age and survivors insurance system embodied in the Federal Social Security Act, or the Teachers' Retirement System of Alabama, or both such systems.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Clarke County: Authorizing the County Board of Education of Clarke County to remove or terminate the contract of employment of any teacher, as that term is defined in Sec. 351 of Title 52, Code of Alabama of 1940, as amended, or any bus driver, in the county school system who is eligible for retirement under the old-age and survivors insurance system embodied in the Federal Social Security Act, or the Teachers' Retirement System of Alabama, or both such systems.

Be It Enacted by the Legislature of Alabama:

Section 1. The County Board of Education of Clarke County, may, by a majority vote of all the members thereof, remove or terminate the contract of employment of any teacher, as that term is defined in Sec. 351 of Title 52, Code of Alabama of 1940, as amended, or any bus driver, in the county school system who is eligible for retirement under the old-age and survivors insurance system embodied in the Federal Social Security Act or the Teachers' Retirement System of Alabama, or both such systems. The action of the board in regard to any such removal or termination of contract shall be final and conclusive, and shall not be subject to review or modification by any officer or agency, the provisions of Chapter 13, Title 52, Code of Alabama of 1940, as amended, to the contrary notwithstanding. It is provided, however, that no such teacher or bus driver shall be removed summarily or his or her contract terminated summarily under this Act, but such teacher or bus driver shall be given a reasonable notice of the proposed action by the board and afforded an opportunity to be heard.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1957.

G. A. CARLETON.

Sworn to and subscribed before me May 6, 1957.

JULIA M. HELMES,
Notary Public, Clarke Co., Ala.

By Mr. Bradford:

S. 46. To amend further Act No. 34, H. 225, approved September 24, 1932 (Local Acts of Alabama, Special Session, 1932, page 13), entitled "An Act To provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," by extending the term of office of the county superintendent of education of Clarke County from four to six years.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 34, H. 225, approved September 24, 1932 (Local Acts of Alabama, Special Session, 1932, page 13), entitled "An Act to provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," by extending the term of office of the county superintendent of education of Clarke County from four to six years.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 34, H. 225, approved September 24, 1932 (Local Acts of Alabama, Special Session, 1932, page 13), is amended to read as follows:

"Section 1. A county superintendent of education shall be elected for Clarke County by the qualified electors of the county. The county superintendent of education elected at the general election held in 1952 shall serve until July 1, 1957. The county superintendent of education elected at the general election held in 1956 shall take office on July 1, 1957, and shall serve for a term of six years, and until his successor is elected and qualified. A county superintendent of education for Clarke County shall be elected at the general election held in 1962, and every six years thereafter. He shall take office on the first day of July next following his election, and shall serve for a term of six years, and until a successor is elected and qualified."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLARKE

Before me, the undersigned authority in and for said County in said State, this day personally appeared G. A. Carleton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Clarke County Democrat, a newspaper of general circulation published in Clarke County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1957.

G. A. CARLETON.

Sworn to and subscribed before me May 6, 1957.

JULIA M. HELMS,
Notary Public, Clarke Co., Ala.

By Mr. Eddins:

S. 47. To amend further Section 348 of Title 51, Code of Alabama (1940), which relates to the franchise tax payable by foreign corporations.

Committee on Finance and Taxation.

By Mr. Eddins:

S. 48. To amend further Act No. 703, H. 544, approved September 5, 1951 (Acts of Alabama, 1951, p. 1211), which created state and county departments of public welfare, by prohibiting the payment of aid to dependent children to any unwed mother on behalf of more than one illegitimate child.

Committee on Public Welfare and Correctional Institutions.

By Messrs. Eddins and Engelhardt:

S. 49. To limit the authority of Housing Authorities and of all cities, counties, municipal corporations, districts, or other subdivisions, public bodies, or agencies of the State of Alabama in dealing with such Housing Authorities, to projects which are required to be occupied on a racially segregated basis.

Committee on Judiciary.

By Mr. Eddins:

S. 50. To amend further Section 172 of Title 55, Code of Alabama (1940), so as to increase the compensation of the Governor.

Committee on Finance and Taxation.

By Messrs. Jones, Vann, Yarbrough (Randolph) and Davis (Pickens):

S. 51. To validate in certain cases elections heretofore held in school districts and counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution, or for the purpose of authorizing any such tax and the consolidation of school districts.

Committee on Judiciary.

By Messrs. Jones and Calvin:

S. 52. To amend Title 34, Section 74, Code of Alabama, 1940, which relates to contracts between husband and wife, by deleting therefrom the provision prohibiting a wife from becoming the surety for the husband.

Committee on Judiciary.

By Mr. Cooper:

S. 53. To provide for the incorporation of certain public bodies heretofore or hereafter created and established pursuant to Chapter 6 of Title 22, Code of Alabama (1940), and to prescribe the powers of such corporations in relation to the establishment and operation of certain public hospitals.

Committee on Corporations.

By Mr. Cooper:

S. 54. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, page 734), the Act which established the Employees' Retirement System of Alabama.

Committee on Judiciary.

By Messrs. Metcalf, Cooper, Cantrell, and Allen:

S. 55. To provide for the further promotion of river development in this State; to create the Alabama River Development Authority; to provide for the selection of the members of the Authority, and to prescribe their powers, duties, terms, qualifications, and compensation; to prescribe the authority and functions of the Authority; to provide for the appointment of an administrator of the Authority, and to prescribe his

powers, term, qualifications, and compensation; and to make an appropriation for the purposes of the Act.

Committee on Finance and Taxation.

By Messrs. Metcalf, Cantrell, Allen, Bradford, Moses and Vann:

S. 56. To authorize the execution of, and to give advance approval to a compact between the State of Alabama and the State of Mississippi and any contiguous state, for the purpose of promoting the development of a navigable interstate waterway connecting the Tombigbee and the Tennessee Rivers; to establish a joint agency and other offices for the administration of the compact; and to make an appropriation.

Committee on Finance and Taxation.

By Messrs. Metcalf and Goodwin:

S. 57. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the State Board of Agriculture and Industries and the Commissioner of Agriculture and Industries in relation to such markets.

Committee on Finance and Taxation.

By Messrs. Metcalf, Givhan, Engelhardt, Flowers, Goodwin and Smith:

S. 58. To authorize and provide for the producers of certain agricultural commodities to act jointly and in cooperation with handlers, processors, and the State Department of Agriculture and Industries in promoting the production, distribution, use and consumption of such commodities; providing that producers may levy upon themselves assessments for the purpose of financing a promotional program, and providing for the imposition of such assessments and the collection thereof; superseding an act approved October 9, 1947 entitled "An Act To enable farmers who are producers of agricultural commodities to act jointly with dealers and processors in promoting the sale, distribution and consumption of such Alabama products" (Act No. 699, H. 594, General Acts of 1947, p. 536).

Committee on Agriculture.

By Messrs. Metcalf and Eddins:

S. 59. To authorize the State Oil and Gas Board at their discretion to specify and designate the size of drilling units on State-owned water bottoms South of the Mobile Bay Causeway in Mobile Bay, Mississippi Sound and the Gulf of Mexico.

Committee on Forestry and Conservation.

By Mr. Metcalf:

S. 60. To Amend Section 431 (8) of Title 51 of the Code of Alabama of 1940, which relates to the allocation to be made to the State, counties and municipalities of all taxes levied and collected by the Department.

Committee on Finance and Taxation.

By Mr. Metcalf:

S. 61. To provide authority for the Director of Conservation to prescribe rules and regulations for the conducting of geophysical and seismic exploratory work on State-owned lands or water bottoms.

Committee on Forestry and Conservation.

By Messrs. Metcalf and Eddins:

S. 62. To amend Section 179 (33) Paragraph C of Title 26 of the Code of Alabama 1940, which relates to emergency rules, regulations and orders of the State Oil and Gas Board of Alabama.

Committee on Forestry and Conservation.

By Messrs. Metcalf and Eddins:

S. 63. To amend paragraph B of Section 179 (33) of Title 26 of the Code of Alabama of 1940 as amended, approved May 22, 1945, which relates to the power of the Board to prescribe rules and regulations; public hearings.

Committee on Forestry and Conservation.

By Messrs. Metcalf and Eddins:

S. 64. To amend Section 431 (12) of Title 51 of the Code of Alabama of 1940, which relates to the size of producing oil and gas units for ad valorem tax exemption.

Committee on Forestry and Conservation.

By Messrs. Metcalf and Eddins:

S. 65. To amend Section 179 (38) of Title 26 of the Code of Alabama 1940, which relates to the method of appeals from the State Oil and Gas Board of Alabama by filing a suit.

Committee on Forestry and Conservation.

By Messrs. Metcalf and Eddins:

S. 66. To amend Section 179 of Title 26 of the Code of Alabama of 1940, approved May 22, 1945, by adding thereto a new subsection to be subsection (36-a), to grant to the State Oil and Gas Board of Alabama authority to establish unit operation of a pool or pools, or any portion or portions or combinations thereof, in a field for the production of oil or gas, or both; provide the method of establishment thereof; holding of hearings; promulgation of orders in connection therewith; the effect thereof.

Committee on Forestry and Conservation.

By Messrs. Metcalf, Skidmore, Lamberth, Goodwin, Smith, Newton, Leonard, Robison, Flowers, Roberts, Grisham, Vann, Moses, Allen, Yarbrough (Randolph), Cantrell, and Van Antwerp.

S. 67. To provide rules and prescribe forms governing procedure and practice in the circuit court and courts of full like jurisdiction and in any other court whose judgments, orders, or decrees are appealable directly to the Supreme Court or to the Court of Appeals, in actions and suits of a civil nature, whether cognizable at law or in equity.

Committee on Judiciary.

By Mr. Engelhardt:

S. 68. To provide for the employment of a clerical assistant by the tax assessor of Macon County, whose compensation shall be paid from the county treasury.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

MACON COUNTY THE STATE OF ALABAMA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the employment of a clerical assistant by the tax assessor of Macon County, whose compensation shall be paid from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Macon County is authorized and empowered to employ a clerk to assist him in the performance of his duties. The assessor shall fix the compensation of his clerk and shall prescribe the time or times for its payment

Section 2. The compensation of such clerk shall be paid from the county treasury on warrant drawn by the tax assessor, but the total amount to be paid from the county treasury in any fiscal year shall not exceed one thousand five hundred dollars (\$1,500).

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION
THE TUSKEGEE NEWS
Tuskegee, Ala.

STATE OF ALABAMA
MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows: March 28, 1957; April 4, 1957; April 11, 1957; April 18, 1957.

Signed: HAL FISHER,
Publisher.

Sworn to and subscribed before me this 18 day of April, 1957.

MRS. FLORENCE G. FISHER,
Notary Public.

My Commission Expires Jan., 1958.

By Mr. Engelhardt:

S. 69. To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

THE STATE OF ALABAMA
MACON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax collector of Macon County is authorized and empowered to employ a clerk to assist him in the performance of his duties. The tax collector shall fix the compensation of his clerk and shall prescribe the time or times for its payment.

Section 2. The compensation of such clerk shall be paid from the county treasury on warrant drawn by the tax collector, but the total amount to be paid from the county treasury in any fiscal year shall not exceed six hundred dollars (\$600).

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION
THE TUSKEGEE NEWS
Tuskegee, Ala.

STATE OF ALABAMA
MACON COUNTY

Before me, a notary public in and for said county and state, personally appeared Hal Fisher, who deposeth and sayeth that he is the publisher of THE TUSKEGEE NEWS, a weekly newspaper published in said County and State, and that the notice attached hereto was published for 4 consecutive weeks, as follows: March 28, 1957; April 4, 1957; April 11, 1957; April 18, 1957.

Signed: HAL FISHER,
Publisher.

Sworn to and subscribed before me this 18 day of April, 1957.

MRS. FLORENCE G. FISHER,
Notary Public.

My Commission Expires Jan., 1958.

By Messrs. Smith, Roberts and Metcalf:

S. 70. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Committee on Judiciary.

By Messrs. Smith, Roberts and Metcalf:

S. 71. Relating to the compensation of circuit judges in Alabama.

Committee on Finance and Taxation.

By Messrs. Smith, Roberts and Metcalf:

S. 72. To amend Section 103 of Title 13 of the Code of Alabama of 1940 as amended.

Committee on Judiciary.

By Messrs. Smith and Metcalf:

S. 73. To fix the compensation of members of the State Board of Pardons and Paroles.

Committee on Finance and Taxation.

By Mr. Robison:

S. 74. To amend Section 91, Title 58, 1940 Code of Alabama which relates to the plan of a Common Trust Fund.

Committee on Judiciary.

By Mr. Robison:

S. 75. To make an additional appropriation to the Board of Nurses' Examiners and Registration for the purchase of office supplies and equipment.

Committee on Finance and Taxation.

By Mr. Robison:

S. 76. To provide a State scholarship program to promote the education of nurses; and making an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Robison:

S. 77. To provide a State scholarship program to promote the education of negro nurses; and making an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Moses:

S. 78. To regulate further the office of circuit solicitor of the Ninth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit solicitor in law enforcement and in the conduct of his office.

Committee on Judiciary.

By Messrs. Givhan, Flowers, Lamberth, and Cooper:

S. 79. To make an appropriation of Two Hundred and Fifty Thousand Dollars (\$250,000.00) from monies in the State Treasury not otherwise appropriated for each of the two fiscal years ending September 30, 1958 and September 30, 1959 to be used for control and eradication of the fire ant.

Committee on Finance and Taxation.

By Messrs: Givhan, Yarbrough (Autauga), Cooper, Flowers, James, Engelhardt, Lamberth, Eddins, Tate, Leonard, Newton and Roberts:

S. 80. To amend Section 753 of Title 51, Code of Alabama (1940), which relates to the rate of the sales tax, by providing for the rate of tax to be levied on the sale of certain farm machinery, farm implements, and farm equipment, or parts or attachments therefor.

Committee on Finance and Taxation.

By Messrs: Givhan, Yarbrough (Autauga), Cooper, Flowers, James, Engelhardt, Lamberth, Eddins, Tate, Leonard, Newton and Roberts:

S. 81. To amend Section 788 of Title 51, Code of Alabama (1940), which relates to the rate of the use tax, by providing for the rate of tax to be levied on the storage, use, or other consumption of certain farm machinery, farm implements, and farm equipment, or parts or attachments therefor, purchased at retail.

Committee on Finance and Taxation.

By Mr. Givhan:

S. 82. To amend Sections 88, 89, 90, 91, 93, 94, 95 and 102 of Title 51, Code of Alabama (1940), so as to provide for the election of members of county boards of equalization.

Committee on Privileges and Elections.

By Messrs. Givhan and Yarbrough (Autauga):

S. 83. To make an appropriation to provide for developing, repairing and improving the facilities of the Foundation Seedstocks Organization and for the payment of compensation and expenses of personnel engaged in the operation of such facilities.

Committee on Finance and Taxation.

By Messrs. Givhan, Engelhardt, Eddins, Davis (Pickens) and Yarbrough (Autauga):

S. 84. To declare the public policy of the State of Alabama regarding the operation of certain schools, universities and colleges, and to prohibit the expenditure of state funds for the operation or maintenance of public elementary or secondary schools where both white and colored persons are enrolled in the student body.

Committee on Education.

By Messrs. Givhan, Skidmore, Davis (Lowndes), Cooper, James, Allen, Eddins, Lamberth, Flowers and Reeves:

S. 85. To amend the Act approved September 19, 1953, entitled "An Act To further provide for the general revenue of the State of Alabama and to fix the license and registration fee on certain motor vehicles" (Act No. 775, H. 40, Acts of Alabama 1953, vol. II, P. 1046).

Committee on Finance and Taxation.

By Messrs. Tate and Yarbrough (Randolph):

S. 86. To amend further Section 365 of Title 52, Code of Alabama, 1940, which relates to the teachers' retirement system.

Committee on Education.

By Messrs. Flowers, Lamberth, Givhan, Reeves, Boutwell, Davis (Lowndes), Cooper, Tate, James, Roberts, Allen, Eddins, Hall, Robinson, Engelhardt, Jones and Metcalf:

S. 87. To amend Section 10 of the Act approved August 26, 1955, providing for the general revenue and for the withholding of income taxes from wages and salaries (Act No. 289, H. 273, 1955 Acts 661).

Committee on Finance and Taxation.

By Mr. Flowers:

S. 88. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF HOUSTON**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Houston County is hereby authorized and empowered to appoint one chief clerk whose salary shall not exceed twenty-four hundred dollars (\$2400) per annum during the first year of his employment, and one clerk whose salary shall not exceed eighteen hundred dollars (\$1800) per annum during the first year of employment. Each of these clerks shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of his basic salary; and thereafter each shall be entitled to an additional increase in an amount equal to ten percent of such basic salary after each additional five-year period of employment. Such increases shall be subject to the approval of the tax assessor. The tax assessor is also authorized and empowered to appoint extra clerks and assistants as he deems necessary, but their combined salaries shall not exceed the sum of fifteen hundred dollars (\$1500) per annum.

Section 2. The tax collector of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be a salary of twenty-four hundred dollars (\$2400) per annum during the first year of his employment, and he may appoint such additional clerks and assistants as he may deem necessary, but their combined salaries shall not exceed the sum of sixteen hundred dollars (\$1600) per annum. The chief clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary; thereafter he shall be entitled to additional increases in amounts equal to ten percent of the basic salary after each additional five-year period of employment. Such increases shall be subject to the approval of the tax collector.

Section 3. The judge of probate of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be a salary not exceeding thirty-six hundred dollars (\$3600) during the first year of his employment; five clerks, each of whom shall be entitled to an annual salary not exceeding twenty-four hundred dollars (\$2400) during the first year of his employment; and such extra and additional clerks and deputies as may be necessary, but their combined salaries shall not exceed the sum of twenty-four hundred dollars (\$2400) per annum. The chief clerk and the five clerks mentioned herein shall each be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary; and thereafter each shall be entitled to additional increases after each additional five-year period of employment in amounts equal to ten percent of the basic salary. Such increases shall be subject to the approval of the judge of probate.

Section 4. The clerk of the circuit court of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary of not more than twenty-four hundred dollars during the first year of his employment, and he may appoint such additional clerks and assistants as may be necessary, but their combined salaries shall not exceed the sum of twelve hundred dollars (\$1200) per annum. The chief clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment

in an amount equal to five percent of the basic salary; and thereafter he shall be entitled to increases in amounts equal to ten percent of the basic salary after each additional five-year period of employment. Such increases shall be subject to the approval of the circuit clerk.

Section 5. The sheriff of Houston County is hereby authorized and empowered to appoint one chief deputy, whose salary shall be forty-two hundred (\$4200) dollars per annum, five additional deputies, each of whom shall be entitled to a salary of thirty-six hundred dollars (\$3600) per annum, one bookkeeper deputy, whose salary shall be thirty-six hundred dollars (\$3600) per annum, one clerk, whose salary shall be thirty-six hundred dollars (\$3600) per annum, and three deputies who shall also serve as jailors and each of whom shall be entitled to a salary of three thousand dollars (\$3000) per annum.

Section 6. The register of the circuit court of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary not exceeding twenty-four hundred dollars (\$2400) during the first year of such clerk's employment. Subject to the approval of the register, such clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary, and thereafter such clerk shall be entitled to increases in amounts equal to ten percent of the basic salary after each additional five-year period of employment.

Section 7. The deputies, clerks and assistants provided for in this Act shall serve at the pleasure of the appointing officers. Their salaries shall be paid in equal monthly installments from the general fund of Houston County upon separate warrants drawn in the manner provided for the payment of other employees of the county.

Section 8. The salaries or compensation of all deputies, clerks, or assistants who are in the employ of the county officers named in this Act on the effective date of this enactment shall be adjusted immediately upon the passage of this Act; and each of such officers may give each of his clerks, deputies, or assistants full credit for the number of years of employment each has had.

Section 9. The court of county commissioners, board of revenue, or like governing body of Houston County may provide such additional deputies, clerks, and assistants as the officers herein named may require for the efficient conduct of their offices, and their compensation shall be fixed by said court of county commissioners, board of revenue, or other county governing body.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned

he was General Manager of the The Dothan Eagle, a newspaper of general circulation published in Dothan, Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, April 16, April 23, and April 30, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me May 4, 1957.

, B. WALLACE MILLER,
Notary Public.

By Mr. Flowers:

S. 89. To amend Section 613 of Title 51, Code of Alabama (1940), which relates to the license on Vending Machines.

Committee on Finance and Taxation.

By Mr. Flowers:

S. 90. To amend further Section 3 of Act No. 228, S. 21, approved July 31, 1947 (General Acts of Alabama, 1947, p. 92), entitled "An Act to provide additional supernumerary judges for the State, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries."

Committee on Finance and Taxation.

By Mr. Flowers:

S. 91. Proposing an amendment of Sections 50 and 198 of the Constitution to provide for each county created after the ratification of the 1901 Constitution one member of the house of representatives for every forty-five thousand inhabitants or fractional part thereof.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Flowers:

S. 92. Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

Committee on Finance and Taxation.

By Mr. Flowers:

S. 93. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the

election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the regular session of the Legislature of Alabama convening May 7, 1957, a local bill providing in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

ACT NO.

To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a Board of Revenue and Control for Houston County, Alabama, effective on and after

the passage and approval of this bill or act and it becomes a law. The Board of Revenue and Control shall be composed of the Judge of Probate who shall serve as ex officio Chairman, but who shall have no power or authority to vote upon any questions or business before the Board in regular, special or called sessions thereof, until there shall first be a tie vote registered among the District Commissioners present and voting, and five (5) District Commissioners, four (4) of whom are presently serving as Commissioners of Districts one (1) to four (4), respectively, of the Board of Revenue, and who shall hold office and represent the respective districts assigned to them by provisions of Section 2 of this act, as District Commissioners of the Board of Revenue and Control until their successors are elected and qualified. Each of said members of the Board of Revenue and Control shall receive as compensation the sum of \$1,200.00 annually, except the Judge of Probate who as ex officio Chairman shall not receive additional compensation, and shall be paid in equal monthly installments out of the general funds of the county on warrants drawn by the Judge of Probate.

Section 2. That Houston County, Alabama, is hereby divided into five (5) Board of Revenue and Control Districts, as follows: District Number 1 shall embrace and be composed of Beats Number 1, 2, and 4 and shall be represented by the incumbent commissioner, H. A. Hollis; District Number 2 shall embrace and be composed of Beats Number 5, 6, 7, and 11 and shall be represented by the incumbent Commissioner, F. C. Jackson; District Number 3 shall embrace and be composed of Beats Number 10, 12, and 14 and shall be represented by the incumbent Commissioner, W. Harvey Hicks; District Number 4 shall embrace and be composed of Beats Number 8, 9, and 13 and shall be represented by the incumbent Commissioner, G. D. Raley; and District Number 5 shall embrace and be composed of Beat Number 3. The Governor is authorized and empowered to appoint a member of the Board of Revenue and Control, as hereby created, effective upon the bill or act becoming a law, to serve as District Commissioner of District Number 5, and who shall serve until his successor is elected at the General Election to be held on the first Tuesday after the first Monday in November, 1958, and becomes qualified, and who shall receive as compensation the sum of \$1,200.00 per annum payable in the same manner and from the same funds of the County with which the other Commissioners are paid. One member of said Board of Revenue and Control hereby created shall hereafter be nominated and elected by the voters of each of the above-numbered districts, and he shall have been a resident of and a qualified elector in the District for a period of two years time immediately preceding the General Election to be held on the first Tuesday after the first Monday in November, 1958, and shall continue to reside therein during his continuance in office; and the members elected shall assume the duties of their office on the first Monday after the second Tuesday in January, 1959, following their election, and shall hold office for a period of four (4) years and until their successors are elected and qualified. Candidates for membership on the Board of Revenue and Control for Houston County, Alabama, shall be nominated by the voters of his respective district in the Primary next preceding the General Election at which time they shall be elected by the voters of his respective district.

Section 3: That the five (5) District Commissioners hereinabove provided for shall, immediately upon assuming office as Commissioners of the Board of Revenue and Control of Houston County, Alabama, elect one from its membership as Vice-Chairman of the Board to act, in the absence of the Judge of Probate as ex officio Chairman, as presiding officer of the said Board of Revenue and Control and who shall, while acting in the official capacity of Vice-Chairman of said Board, have and exercise all of the powers and authority vested by law in the Judge of Probate as ex officio Chairman of the said Board; and the District Com-

missioner so elected Vice-Chairman shall serve as such until the end of his term of office and shall not receive additional compensation for this additional duty. The presence of three District Commissioners, or of two District Commissioners and the District Commissioner elected to serve as Vice-Chairman of the Board shall constitute a quorum for the transaction of official business at all regular, special or called meetings held.

Section 4. That in case of a vacancy on the Board of Revenue and Control, such vacancy shall be filled by appointment made by the Governor of Alabama, and the person appointed shall hold office for the remainder of the term and until his successor has qualified.

Section 5. That each District Commissioner of the Board of Revenue and Control shall, before entering upon his official duties, be required to furnish a bond, payable to the State of Alabama in the sum of \$5,000.00 for the faithful performance of his duties; and the Judge of Probate, as ex officio Chairman of said Board shall likewise furnish a bond in the same sum, and all such bonds shall be approved by the Judge of the Circuit Court of the Twentieth Judicial Circuit of Alabama.

Section 6. That the Board of Revenue and Control shall appoint a County Engineer who shall be qualified to practice engineering and land surveying in the State of Alabama, and whose salary shall be fixed by the Board at an amount not to exceed \$7,500.00 per annum payable in monthly installments; and who shall serve at the pleasure of the Board; and provided further that the County Engineer, with the approval of the Board of Revenue and Control, shall employ and fix the compensation of attorneys, all agents, assistants, supervisors, clerical workers, overseers, workmen, and laborers required for the construction, maintenance and repairs of all buildings, roads and bridges within the County, and shall, with the counsel, assistance and approval of said Board, purchase all necessary road machinery, material, teams, tools, supplies, and equipment as hereinafter provided in Section 8 used in and about the work on the County buildings, roads and bridges.

Section 7. That there is hereby conferred upon said Board of Revenue and Control of Houston County, Alabama, and the members thereof, all of the general authority, power and duties now provided, or which may hereafter be provided to Boards of Revenue or Commissioners Courts, under the general laws of the State of Alabama, and amendments thereto not inconsistent with the provisions of this Act, and for the acts of said Board equal, several and joint liability are hereby fixed for the members thereof. And in addition to the above duties and powers set out, the members of the Board of Revenue and Control shall in addition to the regular monthly meeting of the Board to be held on the second Monday of each month, they shall be required and it will be their additional duty to hold a meeting of the Board of Revenue and Control on the fourth Monday in each month, and the District Commissioners shall be responsible at all times for making proper inspections of roads and bridges, and other County property lying within his respective district.

Section 8. That no purchase or contract to purchase any road or bridge material, teams, tools, machinery, supplies or equipment shall be made, or any contract for the construction, maintenance or repair or any road let, either by the Board of Revenue and Control or the County Engineer, if the amount involved or the value thereof exceed \$25.00 except to the lowest bidder, and where the amount of purchase or contract to be let, is in excess of \$25.00 and not greater than \$200.00 the Board of Revenue and Control shall have a notice posted on the bulletin board in front of the Courthouse of Houston County, Alabama five (5) days prior to the meeting at which said purchase is to be made, and if the amount of purchase to be made or contract to be let be in excess of \$200.00 notice must be given that bids will be received for such purchase or contract

by advertising same for a period of twenty (20) days, by publication for once a week for two (2) consecutive weeks in a newspaper published in Houston County, Alabama. And, in addition to the above notice or notices, if amount be in excess of \$200.00 the Chairman of said Board of Revenue and Control shall give written notice by registered mail with return receipt requested of such contemplated purchase or purchases to at least three (3) merchants or dealers in the goods or materials to be purchased, and where notice of any contract to let, to at least three (3) contractors engaged in the type of work contemplated. Such notice or notices, together with return receipts, must be recorded in and become a part of the minutes of the Board of Revenue and Control of Houston County, Alabama. Provided, however, in case of emergency, for the purchase of machinery parts, no advertisement shall be required as above stipulated. Any and all contracts made and entered into or purchases made by the Board of Revenue and Control, except for purchases of emergency parts, in violation of terms of this section, shall be null and void, and it shall be unlawful for the Probate Judge to issue warrants in payment of same. The Probate Judge must forthwith issue all warrants in payment of all lawful contracts as herein provided.

Section 9. That the compensation for the District Commissioners elected in a manner as hereinabove provided for in the General Election to be held on the first Tuesday after the first Monday in November, 1958, and who will assume the duties of their office on the first Monday after the second Tuesday in January, 1959, shall be \$1,800.00 each per annum payable in equal monthly installments out of the general funds of the County on warrants drawn by the Judge of Probate. Provided, however, that the Judge of Probate, as ex officio Chairman of the Board of Revenue and Control shall not receive any additional compensation for his duties in this capacity.

Section 10. That all laws, both general, special or local, and parts of laws in conflict with the provisions of this Act are hereby expressly repealed, and especially repealing House Local Bill No. 378, approved July 23, 1931, by the Governor of Alabama, and House Local Bill No. 533, approved June 27, 1935, by the Governor of Alabama, and House Local Bill No. 1013, approved September 13, 1935, by the Governor of Alabama, and House Local Bill No. 1014, approved September 13, 1935, by the Governor of Alabama, and Senate Local Bill No. 294 set out on pages 133, 134, 135, and 136 in Local Acts of Alabama in the year 1939, and which became a law under Section 125 of the Constitution, and House Local Bill No. 599, pages 931, 932, 933 and 934, General and Local Acts of Alabama 1949, approved September 19, 1949 by the Governor of Alabama.

Section 11. That if any section, provision, clause or portion of this Act shall be declared, by court of competent jurisdiction, to be invalid or unconstitutional, same shall not be held to effect any other section, provision, clause or portion of this Act, but same shall remain in full force and effect.

Section 12. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

April 8, 15, 22, 29, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he

was General Manager of the Dothan Eagle, Inc., a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8th, 15th, 22nd, and 29th, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me May 6, 1957.

B. WALLACE MILLER.
Notary Public.

By Mr. Flowers:

S. 94. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Section 1. That the salary of the Deputy Solicitor for Houston County, Alabama, be, and the same is hereby fixed at the sum of thirty-six hundred dollars, per year, payable out of the County Treasury of said County, in monthly installments of three hundred dollars each, as provided by law for payment of salaries out of the General Fund of said County.

Section 2. That all laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. That this Act shall be effective immediately upon its passage and approval by the Governor.

REP. BOB STEMBRIDGE
RICHMOND M. FLOWERS
State Senator
35th Senatorial District

April 9, 16, 23, 30, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Dothan Eagle, a newspaper of general

circulation published in Dothan, Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, April 16, April 23, and April 30, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me May 4, 1957.

B. WALLACE MILLER,
Notary Public.

By Messrs. Yarbrough (Autauga) and Metcalf:

S. 95. To amend further Section 661 of Title 2, Code of Alabama 1940, which relates to the creation of soil conservation districts, to provide for the disannexing of territory from existing districts so as to form new districts with boundaries co-extensive with county boundaries.

Committee on Forestry and Conservation.

By Mr. Yarbrough (Autauga):

S. 96. To provide for the creation of watershed conservancy districts for the purpose of developing and executing plans and programs relating to the conservation of water, water usage, flood prevention, flood control, prevention of erosion, and control of erosion, floodwater, and sediment damages; to prescribe the powers, duties, and authority of a board of directors of any such district, and to provide for the selection, term, qualifications, powers, duties, authority, and compensation of the members and employees thereof; to prescribe the powers, duties, and authority of the board of supervisors of any soil conservation district in the creation and dissolution of a watershed conservancy district, in supervising and directing the activities and operations of the board of directors in any such watershed conservancy district, and in otherwise carrying out the purposes of this Act; to authorize the board of directors of a watershed conservancy district to acquire property, or interests therein, by purchase, donation, condemnation, or otherwise, and to sell, lease, or otherwise dispose of such property, or interests therein, in carrying out the provisions of the Act; to provide that the board of directors may make and execute contracts and other instruments in carrying out the purposes of the Act, and to sue and be sued in the name of the district; to authorize the board of directors to construct, improve, operate, and maintain such structures and improvements as may be necessary in carrying out the purposes of the Act, and to borrow money and issue bonds for the purpose of acquiring rights of way and constructing, reconstructing, repairing, enlarging, operating, and maintaining such structures or improvements; exempting property acquired by any such district from all state, county, or municipal taxes; and to provide for withdrawals from, and dissolution of, any watershed conservancy district created under the provisions of the Act.

Committee on Forestry and Conservation.

By Mr. Lamberth (by request):

S. 97. To provide for constructing and equipping a building at Auburn, Alabama for the State Toxicologist; and to make an appropriation for that purpose.

Committee on Forestry and Conservation.

RESOLUTIONS

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 2. BE IT RESOLVED BY THE SENATE, the House of Representatives concurring, that when the two houses adjourn today, they adjourn to meet again Friday, May 10, 1957, at 10 o'clock A. M.

And said Resolution was adopted by the Senate.

Messrs. Metcalf and Smith offered the following Senate Joint Resolution, to-wit:

S. J. R. 3. In the untimely passing of General Lewis A. Pick, former chief of the Army's Corps of Engineers and Director of the Alabama State Planning and Industrial Development Board, the people of the State of Alabama and of the United States have suffered a grave and irreparable loss; and

Whereas, during his illustrious thirty-six year career with the Army's Corps of Engineers, the last four of which he served as Chief of Army Engineers, General Pick supervised the construction of projects costing more than five billion dollars, including the construction of army camps and air bases, such as the famed Thule Air Force Base in Greenland; the construction of the famous Ledo Road—popularly known as Pick's Pike—which extended from India through the mountains and jungles of north Burma to China, despite the fact that scores of engineers said the road could not be built; and the construction of about a dozen of the dams considered necessary to implement the Pick-Sloan Plan, of which he was co-author, for controlling the unruly floods and conserving the indispensable waters of the Missouri and its tributaries; and

Whereas, General Pick married Miss Alice Cary of Auburn, Alabama, while on a tour of ROTC duty in 1925, and thereafter adopted Alabama as his home and settled here upon his retirement from the Army's Corps of Engineers, and became strongly interested in the civic, social, and political advancement and well-being of the people of his adopted state; and

Whereas, General Pick served more than a year as Director of the State Planning and Industrial Development Board after his retirement from the Army, and was a powerful influence in attracting industries to the State of Alabama during the period he served as Director, and had seen industrial plants worth almost three hundred million dollars either built or planned for Alabama; and

Whereas, the outstanding achievements and abilities of General Pick will be evidenced for many years by the abundance of engineering miracles accredited to him, and he will be considered by future generations as one of the truly great Americans in our history, and the people of Alabama and the nation will deeply feel the loss occasioned by the death of such a distinguished and valued public servant; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING: That the Legislature of Alabama mourns the death of General Lewis A. Pick, and the individual members thereof unite in honoring his character, ability, and patriotic motives, and extend sincere and deep sympathy to his family and to his many friends throughout the world.

That the Secretary of the Senate is directed to transmit a copy of this Resolution to Mrs. Lewis A. Pick.

And on motion of Mr. Metcalf, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Personnel Board.

Respectfully submitted,
RALPH HAMMOND,
Executive Secretary.

MAY 7, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I have appointed, subject to your approval, MR. LOUIS OPPERT, Dothan, Alabama, as a member of the State Personnel Board, for the term expiring March 2, 1963.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Flowers, the rules were suspended and the Senate confirmed the appointment of Mr. Louis Oppert, Dothan, Alabama, as a member of the State Personnel Board, for the term expiring March 2, 1963, which said appointment is set out in the foregoing message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Alcoholic Beverage Control Board.

Respectfully submitted,
RALPH HAMMOND,
Executive Secretary.

MAY 7, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama
Gentlemen:

I have appointed, subject to your confirmation, HONORABLE WYATT OWENS, Birmingham, as member of the Alabama Alcoholic Beverage Control Board, for the term expiring February 10, 1961, succeeding Hon. Knox McRae, resigned.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the rules were suspended and the Senate confirmed the appointment of Honorable Wyatt Owens, Birmingham, Alabama, as a member of the Alabama Alcoholic Beverage Control Board, for the term expiring February 10, 1961, which said appointment is set out in the foregoing message from His Excellency, the Governor.

RESOLUTIONS

Messrs. Robison, Cooper, Jones, Engelhardt, Lamberth, Yarbrough (Autauga), Shelton, Tate, Givhan, Bradford, Leonard, Dyar, Davis (Lowndes) and Roberts offered the following Senate Joint Resolution, to-wit:

S. J. R. 4. WHEREAS, the prompt complete development for all purposes of the Coosa-Alabama Rivers from Rome, Georgia to Mobile, Alabama is of inestimable value to the State of Alabama and to the Nation; and,

WHEREAS, the 79th Congress, First Session, authorized a project on the Alabama River to consist of three dams, said project including the construction of one of said dams at Jones Bluff, Alabama; and,

WHEREAS, an appropriation for advance planning and design of the said Jones Bluff Dam should be made by the present Congress in order to avoid further unnecessary delay in the development of the River; and,

Whereas, a further postponement of this development involves a continuing loss to our State and Nation of great proportions;

NOW, THEREFORE, BE IT RESOLVED by the Senate, the House of Representatives concurring, that the Congress of the United States be requested to go forward with the enactment of legislation leading toward the complete development of the Coosa-Alabama Rivers and that it be memorialized to appropriate immediately sufficient funds necessary for the advance planning and design of the contemplated Jones Bluff Dam; and further, that a copy of this resolution be forwarded to our Senators and Representatives in Congress and that they be urged to sponsor all needed legislation necessary to insure the complete development of the Rivers and that they exert every effort to secure, at the present Session of Congress, an appropriation for the advance planning and design of the Jones Bluff Dam; and further, that a copy of this resolution be transmitted to the President of the United States.

On motion of Mr. Robison, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Lamberth offered the following Senate Resolution, to-wit:

S. R. 5. RESOLVED, That the five members of the Legislative Committee on Public Accounts, the four members of the State Building Commission, and the four members of the Legislative Council, who were elected at the last regular session, be, and hereby are re-elected to their respective places to serve until their successors are elected as prescribed by law.

And on motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 6. WHEREAS, the Legislature of Alabama has for the past several years appropriated funds for a calfhood vaccination program for

the purpose of eradicating and exterminating a contagious and infectious disease of livestock known as Brucellosis or "Bangs Disease"; and

WHEREAS, the Legislature recognizes that the production of livestock is of great economic importance to the State of Alabama and livestock diseases must be effectively controlled; and

WHEREAS, funds available to the State Department of Agriculture and Industries for the continuation of the calfhood vaccination program during the current fiscal year, which ends September 30, 1957, have been exhausted and no further work of this nature can be conducted due to the lack of sufficient funds; and

WHEREAS, It has come to the attention of the Legislature of Alabama that funds are now on hand and available to the United States Department of Agriculture, Agricultural Research Services, Animal Disease Eradication Division, for use in the State of Alabama for conducting a Brucellosis Disease Control Program, such funds being available for the current fiscal year of the Federal government which ends on June 30.

NOW, THEREFORE, BE IT RESOLVED: by the Senate of Alabama, the House of Representatives concurring, that the United States Department of Agriculture, Agricultural Research Services, Animal Disease Eradication Division, be requested to make available to the Alabama Department of Agriculture and Industries the sum of One Hundred Thousand Dollars (\$100,000.00) for the purpose of continuing a calfhood vaccination program in the State of Alabama throughout the State's current fiscal year, which ends on September 30, 1957, in order that Brucellosis vaccine may be purchased, distributed and administered to livestock owned by farmers in Alabama.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Secretary of the Senate to appropriate officials with the United States Department of Agriculture and a copy be forwarded to each member of the Alabama Delegation in the Congress of the United States with the request that they lend their efforts toward assisting the State of Alabama in securing funds for the above mentioned purposes.

And on motion of Mr. Cooper, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 2. Relative to adjournment of the two Houses to meet again on Friday, May 10, 1957, at 10 o'clock A. M.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Jour-

nal of the Senate for the first legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the first legislative day approved by the Senate.

ADJOURNMENT

At 3:41 P. M., on motion of Mr. Davis (Pickens), and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, May 10, 1957 at 10 o'clock A. M.

SECOND LEGISLATIVE DAY

FRIDAY, MAY 10, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. Henry Edward Russell, Minister, Trinity Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalfe	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

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JOURNAL

On motion of Mr. Lamberth, the Reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Allen:

S. 98. Relating to Cullman County; providing that the court of county commissioners, board of revenue, or like county governing body of Cullman County shall be solely responsible for the construction, repair, and maintenance of the county roads and bridges of Cullman County, and relieving the State Highway Department of certain duties in regard thereto; authorizing, directing, and requiring the county governing body

to divide the county, or to cause the county to be divided, into four districts, and to appoint a road and bridge supervisor for each such district and fix his compensation; providing for the transfer by the State Highway Department to the county governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding financial obligations incurred in the construction, repair and maintenance of county roads and bridges in Cullman County; providing that the provisions of this Act shall become operative only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of this Act in an election held pursuant hereto; and repealing conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; providing that the court of county commissioners, board of revenue, or like county governing body of Cullman County shall be solely responsible for the construction, repair, and maintenance of the county roads and bridges of Cullman County, and relieving the State Highway Department of certain duties in regard thereto; authorizing, directing, and requiring the county governing body to divide the county, or to cause the county to be divided, into four districts, and to appoint a road and bridge supervisor for each such district and fix his compensation; providing for the transfer by the State Highway Department to the county governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding financial obligations incurred in the construction, repair and maintenance of county roads and bridges in Cullman County; providing that the provisions of this Act shall become operative only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of this Act in an election held pursuant hereto; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall become operative only if approved by a majority of the electors of Cullman County voting in a referendum, which shall be held on the date of the first state-wide election held after adjournment of the 1957 Regular Session of the Legislature for the purpose of voting on amendments to the Constitution. The governing body of Cullman County shall order and provide for the holding of the referendum on such date, and for canvassing the results thereof. On the ballots to be used at the election the question shall be stated substantially as follows: "Do you favor having the court of county commissioners, board of revenue, or like county governing body of Cullman County exercise jurisdiction over the construction, repair and maintenance of county roads and bridges instead of the State Highway Department? Yes () No ()." If a majority of the votes cast at the election are "Yes," the provisions of this Act shall become operative on Janu-

ary 2, 1959. If the majority are "No," this Act shall have no further effect. The result of the election shall be certified to the Secretary of State and to the State Highway Director within ten days after the election.

Section 2. Upon the adoption of this Act as herein provided, the court of county commissioners, board of revenue, or like governing body of Cullman County shall be solely responsible for the construction, repair and maintenance of the roads and bridges in the county. The county governing body shall have all the powers and jurisdiction with respect to county roads and bridges which are or which hereafter may be vested in or required of courts of county commissioners, boards of revenue, or other like county governing bodies by the general laws of this State, or vested in or required of the governing body of Cullman County by local law; and except as may otherwise be provided herein, the members of the county governing body of Cullman County shall perform all the duties and services and shall exercise all the powers and authority with respect to the construction, repair and maintenance of county roads and bridges which are or which hereafter may be provided by law for members of courts of county commissioners, boards of revenue, or other like county governing bodies.

Section 3. Upon the adoption of this Act, the county governing body is hereby authorized, directed and required to divide the county, or cause the county to be divided, into four quarters, each of which shall be equal in size to each of the other three quarters, insofar as may be practical and feasible. The southeastern quarter shall be designated as District 1; the southwestern quarter shall be designated as District 2; the northeastern quarter shall be designated as District 3; and the northwestern quarter shall be designated as District 4. The county governing body shall appoint a road and bridge supervisor for each of the four districts herein provided for, and the road and bridge supervisor of each district shall, subject to the control of the county governing body, supervise the construction, repair, and maintenance of county roads and bridges within his district. The road and bridge supervisors shall each receive compensation in an amount to be fixed by the governing body of the county.

Section 4. Upon the adoption of this Act, any unexpended monies remaining in the fund required by law to be maintained by the State Highway Department for use in the construction, repair and maintenance of county roads and bridges in Cullman County shall be paid over to the county governing body of Cullman County, except as otherwise provided by this Act. Thereafter, all funds and monies designated by law for use in the construction, repair and maintenance of county roads and bridges in Cullman County to which Cullman County may be entitled, whether from the proceeds of the state gasoline tax, the motor vehicle license tax, or other state tax, or any federal aid accruals or from any other source whatsoever, shall be paid to the county governing body of Cullman County by the appropriate county or state official.

Section 5. Upon the adoption of this Act, the State Highway Department shall transfer and turn over to the governing body of Cullman County road equipment, machinery and supplies of like kind and equal in value to the road equipment, machinery and supplies which Cullman County was required to transfer and turn over to the State Highway Department in accordance with legislation enacted prior to the adoption of this Act, which legislation required the State Highway Department to construct, repair and maintain roads and bridges in Cullman County.

Section 6. All persons employed by the State Highway Department in the construction, repair and maintenance of county roads and bridges in Cullman County upon the adoption of this Act shall cease to be employees of the State Highway Department, shall no longer be subject to

the State Merit System Law, and shall continue to be employed by the county in the construction, repair and maintenance subject to the approval of the county governing body.

Section 7. Any contract for the construction, repair or maintenance of county roads and bridges in Cullman County entered into by the State Department prior to the adoption of this Act shall remain in full force and effect until the terms thereof have been complied with.

Section 8. All outstanding financial obligations which were incurred prior to the adoption of this Act for the construction, repair, or maintenance of county roads and bridges in Cullman County shall, upon the adoption of this Act, become outstanding financial obligations of Cullman County, and shall be retired or paid in accordance with the terms under which such indebtedness was incurred.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All the provisions of Sections 6, 7, 8, and 9 of Act 13, H. 5, approved February 4, 1955 (Acts of Alabama, 1955, V. 1, p. 37), insofar as they conflict with this Act, are hereby expressly repealed, and all other laws or parts of laws in conflict with the provisions of this Act are also hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Democrat, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1957.

ROBERT BRYAN.

Sworn to and subscribed before me 10th day of May, 1957.

MARIE W. BERGIN,
Notary Public.

My Commission Expires 3-29-61.

By Mr. Vann:

S. 99. Relating to the small loan business: To define and regulate the business of lending in amounts of \$500 or less; to authorize the licensing of persons engaged in such business; to permit such licensees to make charges at a greater rate than lenders not licensed hereunder; to prescribe maximum rates of charge which licensees are permitted to make; to provide for the administration and enforcement of this Act and for the issuance of regulations and orders therefor; to authorize the making of examinations and investigations and the publication of reports thereof; to provide for a review of administrative acts hereunder; to prescribe penalties for violations of the Act; and to repeal conflicting provisions of Act No. 159, H. 233, approved June 23, 1945 (General Acts of Alabama, 1945, page 200).

Committee on Banking.

By Mr. Vann:

S. 100. To make a deficiency appropriation from the general fund to the use and benefit of the State Board of Education to be used exclusively for vocational education.

Committee on Finance and Taxation.

By Mr. Lamberth:

S. 101. To amend Section 352 of Title 13, Code of Alabama, 1940.

Committee on Public Welfare and Correctional Institutions.

By Mr. Boutwell:

S. 102. To provide for a reapportionment of the Legislature of Alabama.

Committee on Judiciary.

By Messrs. Grisham and James:

S. 103. To authorize, define and regulate through licensure the practice of chiropractic; establishing the State Board of Chiropractic Examiners, and prescribing its powers and duties; prescribing qualifications of licensees to practice chiropractic, fees for such licenses, and penalties for violations of this Act; authorizing the Board of Chiropractic Examiners to examine applicants for chiropractic licenses and to issue, deny, suspend, and revoke licenses to practice chiropractic; prescribing the manner of appealing from the decisions of such board to the courts of the State; providing for the collection and disbursement of examination and license fees; and providing for the enforcement of this Act.

Committee on Public Health.

By Messrs. Grisham and James:

S. 104. To amend Sections 259, 262 and 295 of Title 46, Code of Alabama (1940) for the purpose of exempting chiropractors from examination, regulation and licensing by the board of censors of the medical association of the State of Alabama.

Committee on Public Health.

By Mr. Skidmore:

S. 105. To amend Section 21 of an Act approved September 5, 1951, known as the Motor Vehicle Safety-Responsibility Act (Act No. 704, H. 475, Acts of Alabama 1950-51, Vol. II, p. 1224).

Committee on Judiciary.

By Mr. Skidmore:

S. 106. To fix the compensation of certain officers of counties having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

Committee on Local Legislation.

By Mr. Skidmore:

S. 107. To provide that no written statement made by the accused on trial of a witness in a criminal proceeding shall be received as evidence for any purpose at the trial unless an exact copy of such statement is furnished to the accused or his attorney of record on demand therefor being made.

Committee on Judiciary.

By Messrs. Skidmore, Vann, and Leonard:

S. 108. To amend Section 211 of Title 46 of the Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to amend the law regulating advertising; to repeal conflicting laws and to set the effective date of this act.

Committee on Public Health.

By Mr. Metcalf:

S. 109. Proposing an amendment of Section 264 of the Constitution, which relates to the State University.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Metcalf and Roberts:

S. 110. To amend Section 103 of Title 11, Code of Alabama (1940), which relates to the fees and compensation of witnesses in criminal cases.

Committee on Judiciary.

By Messrs. Metcalf and Roberts:

S. 111. To amend Section 44 of Title 11, Code of Alabama (1940), which relates to the fees allowed witnesses for mileage and attendance in civil cases.

Committee on Judiciary.

By Messrs. Metcalf, Cantrell, Little, and Lamberth:

S. 112. To regulate further the military forces of the State; placing the duty of administering all affairs pertaining to the State military forces on the State Military Department; prescribing the qualification of certain military officers; providing for the appointment and removal of certain officers; and requiring certain phases of the organization of the state military forces to conform to federal laws governing the armed forces and to regulations of the United States Department of Defense.

Committee on Military.

By Mr. Reeves:

S. 113. To amend further Section 325 of Title 15, Code of Alabama (1940), which relates to specifications of legal punishments.

Committee on Judiciary.

By Mr. Reeves:

S. 114. To amend Section 72, Title 45, Code of Alabama, which relates to payment of costs by Board of Corrections.

Committee on Judiciary.

By Mr. Robison:

S. 115. Relating to the destruction of public records; authorizing the State Treasurer to destroy cancelled state warrants which have been on file in his office for seven years or more, and to destroy the journals pertaining to such old warrants.

Committee on Judiciary.

By Mr. Robison:

S. 116. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Committee on Judiciary.

By Mr. Robison:

S. 117. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

"A BILL TO BE ENTITLED AN ACT"

"To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, T. 16N, R. 18E, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

"Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby, altered, rearranged and extended so as to include within the corporate limits of said city that certain additional territory lying within the following described boundaries, to-wit:

"Commencing at the Northwest corner of Section 22, Township 16N, Range 18E, Montgomery County, Alabama, running thence East along the North section line of said Section 22 a distance of 1305 feet, thence running South to the North line of the Vaughan Road to a point 1305.4 feet East of the West section line of said Section 22, thence running West along the North line of the Vaughan Road a distance of 1305.4 feet to the West section line of said Section 22, thence running North along the West section line of said Section 22 to the point of beginning.

"Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

Jnl. March 12-19-26, April 2.

STATE OF ALABAMA MONTGOMERY COUNTY

Before me T. A. HARDY a Notary Public in and for the State and County aforesaid personally appeared P. W. Walsh who first being duly sworn according to law deposes and says that: he is Secretary for The Advertiser Company, publishers of The Alabama Journal and that the advertisement of An Act By The Legislature appeared in said publication on Mar. 12, 19, 26, April 2, 1956 and there is now due on said account

the sum of \$_____ which is due, just and unpaid and that no part of said account has been paid except as herein specified.

P. W. WALSH,
Secretary.

Sworn to and subscribed before me this 3 day of April 1956.

T. A. HARDY,
Notary Public,
Montgomery County, Alabama.

By Messrs. Flowers, Vann, Eddins, Little, Smith, Cantrell, Lamberth, Roberts, Allen, Metcalf, Leonard, Cooper, Skidmore, Moses, Davis (Pickens) and Goodwin:

S. 118. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Flowers, Vann, Eddins, Little, Smith, Cantrell, Lamberth, Roberts, Allen, Metcalf, Leonard, Cooper, Skidmore, Moses, Davis (Pickens) and Goodwin:

S. 119. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$10,000,000 and to incur indebtedness not exceeding in aggregate \$10,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$10,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the pro-

visions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and require others to charge in like manner for like services; and to provide an effective date of this Act.

Committee on Finance and Taxation.

By Mr. Bradford:

S. 120. To provide for a refund of the state tax paid on certain gasoline which is lost as the result of a fire, or through leakage, or from any other like cause, other than evaporation; to prescribe a procedure for effecting such refunds; to make an appropriation to carry out the provisions of the Act; and to prescribe penalties for violations of the act.

Committee on Finance and Taxation.

By Mr. Bradford:

S. 121. To authorize each city and county board of education in this State to remove or terminate the contract of employment of any teacher who is employed in the school system under the jurisdiction of such board, and who is eligible for retirement under the old-age and survivors insurance system embodied in the Federal Social Security Act, or the Teachers' Retirement System of Alabama, or both such systems.

Committee on Education.

By Messrs. Bradford, Davis (Lowndes), Eddins, Hall, Cooper, James, Jones, Little, Engelhardt, Davis (Pickens), Goodwin, Yarbrough (Autauga), and Givhan:

S. 122. To provide for the closing of certain public schools or school systems under certain prescribed conditions; to provide for the making of agreements whereby the pupils enrolled in such closed schools may be educated at other available schools; to provide for an appeal to the legislature from any order issued to close any public school or school system; to provide for the transfer of the principals, teachers, and employees of such closed schools; and to prescribe the conditions under which schools closed under the authority of the Act may be reopened and operated as part of the public school system of the State.

Committee on Education.

By Messrs. Bradford, Allen, James, and Givhan:

S. 123. To amend Title 25 of the Alabama Code of 1940 and to provide for a vote by the qualified electors of a municipality or county on the question of whether a housing project shall be constructed in the municipality or county, before the acquisition of any property by a housing authority for the construction of such housing project.

Committee on Municipalities and Municipal Organizations.

By Messrs. Leonard, Newton, Metcalf, Little, Cantrell, Grisham, Moses, Goodwin, Shelton, Yarbrough (Randolph), Bradford, Smith, Calvin, Boutwell, Lamberth, Reeves, Engelhardt, Cooper, Flowers, Skidmore, Roberts, Vann, and Givhan:

S. 124. To propose an amendment to the Constitution authorizing the issuance of not more than three million dollars in principal amount of

general obligation bonds of the State of Alabama for building construction and improvement purposes at the Alabama Institute for Deaf and Blind at Talladega, Alabama.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Leonard, Flowers, Moses, Givhan, and Allen:

S. 125. To make an appropriation for the use and benefits of the Alabama Institute for Deaf and Blind.

Committee on Finance and Taxation.

By Mr. Allen:

S. 126. To amend and re-enact Act No. 585, H. 798, approved September 11, 1953 (Acts of Alabama, 1953, p. 828), which created the Department of Public Safety.

Committee on Finance and Taxation.

By Mr. Allen:

S. 127. To amend further Section 61 of Title 36, Code of Alabama (1940), which relates to drivers' licenses, by providing for the disposition of funds derived from the issuance of drivers' licenses; and by providing for the disposition of funds derived from penalties imposed for violations of laws relating to drivers' licenses.

Committee on Finance and Taxation.

By Mr. Allen:

S. 128. To amend further Section 632 of Title 51, Code of Alabama (1940), which relates to the disposition of the proceeds of the tax on lubricating oils.

Committee on Finance and Taxation.

By Mr. Allen:

S. 129. To amend further Section 69 of Title 36, Code of Alabama (1940), which relates to drivers' licenses, by providing for the disposition of funds derived from the issuance of drivers' licenses; and by providing for the disposition of funds derived from penalties imposed for violations of laws relating to drivers' licenses.

Committee on Finance and Taxation.

By Mr. Allen:

S. 130. To amend Section 53 of Title 36, Code of Alabama (1940), which relates to the disposition of fines and forfeitures collected upon conviction of violating certain laws relating to the operation of motor vehicles upon the highways of this State or upon forfeiture of bail of persons charged with violating certain laws relating to the operation of motor vehicles upon the highways of this State.

Committee on Finance and Taxation.

By Messrs. Yarbrough (Autauga) and Boutwell:

S. 131. To permit an infant to hold stock or other securities in corporations, to exercise rights relating thereto, including the transfer of the same, and to protect corporations relying upon such action without actual notice of the infancy, and to permit infants to receive dividends on stock or other securities in corporations and to give complete acquittance and release therefor.

Committee on Banking.

By Messrs. Yarbrough (Autauga) and Boutwell:

S. 132. Concerning gifts of securities and money to minors and to make uniform the law with reference thereto.

Committee on Banking.

By Messrs. Vann and Moses:

S. 133. To propose an amendment to the Constitution prescribing the method of adopting amendments which affect the compensation of local officers.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Lamberth, Flowers, Moses, Leonard, Skidmore, Vann, Roberts, and Allen:

S. 134. To protect the interest of the public with respect to insurance agents, solicitors and brokers: To regulate the conduct of the business of insurance agents, solicitors and brokers: To provide for the powers and duties of the superintendent of insurance with respect thereto: To provide for the examining and licensing of insurance agents, solicitors and brokers: To provide for the administration of this Act: To provide for the denial, revocation or suspension of licenses under this Act: To provide for penalties for the violation of any provision of this Act: To provide for judicial review of the Acts of the Superintendent of Insurance with respect to the administration of the provisions of this Act: To repeal all laws or parts of laws in conflict therewith:

Committee on Insurance.

By Messrs. Lamberth, Vann, Flowers, Moses, Leonard, Smith, Skidmore, Roberts, and Allen:

S. 135. To regulate the qualifications, applications, examinations and licensing of all persons who shall be hereafter licensed to act as agent for or to solicit business for any life or health and accident insurance carriers in Alabama who shall engage in the business of selling, soliciting, issuing, delivering, effecting or collecting premiums on policies or contracts of life insurance or contracts of health and accident insurance or both; To define terms; To provide penalties for violations of the provisions hereof; To prohibit the representing of unauthorized insurers; To provide for liability of insurance agents when representing unauthorized insurers; To prohibit the doing of business by unlicensed agents; To prohibit the doing of business with unauthorized agents; To provide an advisory board to advise with the superintendent of insurance; To provide for the appointment and term of office of said advisory board; To provide for the revocation of licenses; To provide that certain information, documents, records or statements disclosed or made to the superintendent of insurance shall be deemed a privileged communication and shall not be used as evidence in any court action or proceeding; To provide for the refusal, suspension, or revocation of license and to provide for a hearing thereon; To provide an appeal from certain actions of the superintendent; To provide for the making of certain rules and regulations by the superintendent; To provide for the making of certain investigations by the superintendent; To provide penalties for the violation of this Act; To provide for the severability of this Act; To repeal conflicting laws, and to provide an effective date for this Act.

Committee on Insurance.

RESOLUTIONS

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 7. Be it resolved by the Senate, the House of Representatives concurring, that when the two Houses adjourn today, they adjourn to meet again Tuesday, May 14, 1957 at twelve o'clock Noon.

On motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hawkins:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING: That the State of Alabama, and especially the House of Representatives of the State Legislature, has suffered a great loss in the recent death of The Honorable Robert Tyler Goodwyn, Jr., a former member of the House, who for the last eighteen years has been the beloved clerk of the House, esteemed for his faithful, courteous and efficient service, not only as a member and clerk of this body, but in many other civic and political offices, and for his amiability, sincerity and kindliness.

BE IT FURTHER RESOLVED, that a page in the Journal of this House be dedicated, in grateful appreciation of his services to the State and his fellow men, to the memory of Robert Tyler Goodwyn, Jr.; that the sympathy of the Legislature be extended to Mrs. Goodwyn and the other members of his family; and that a copy of this resolution be transmitted by the clerk of the House to Mrs. Goodwyn and to the Press.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Resolution, H. J. R. 3, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Merrill, Ferrell, Windle, Lackey, Edwards (Jefferson), Tyson, Thomas, Haltom, McKay, Boyd, Lee (Barbour), Mathews, Albea, Kendall, Brewer, Gilchrist, Law, Hare, Locke (Choctaw), Ashworth, Simon, Fite, Goodwyn, Hunt, Lee (Lawrence), Pirkle, Oakley, Brannan, Payne, Huddleston, Summerlin, Adams (Tallapoosa), Roberts, Davis, Harrison, Jenkins, Brassell, Nolen, Hanby, Grouby, Brown (Lee), Hardy, Hain, Gilmer, Steagall, Hawkins, Ward, Stenbridge:

H. J. R. 5. WHEREAS, according to a recent Associated Press release General Motors, Ford and Chrysler Corporations have indicated a desire to locate their plants, or parts of them, in localities other than the State of Michigan; and

WHEREAS, there is available in Alabama a large reservoir of hard-working, friendly, cooperative people, both male and female, who are anxious to obtain jobs in industry; and

WHEREAS, in Alabama there are many sources of raw materials available to industry, also an abundance of navigable rivers, electrical power, natural gas and process water; and

WHEREAS, labor in Alabama has an outstanding record for production and peaceful relations with management,

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

1. That a most cordial invitation is hereby extended to General Motors, Ford and Chrysler Corporations to locate their plants, or parts of them, in Alabama.

2. That the Alabama State Planning and Industrial Development Board make known to General Motors, Ford and Chrysler Corporations in detail the advantages of locating their plants in Alabama.

3. That a copy of this resolution be furnished the presidents of General Motors, Ford and Chrysler Corporations.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Shelton, the Rules were suspended and the Resolution, H. J. R. 5, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint Resolution:

By Messrs. Simon and Tyson:

H. J. R. 6. Whereas The Honorable Michael Thomas Murphy was elected in 1954 as a representative of Mobile County in the Legislature of Alabama, and though his term of office was cut short by his untimely death on June 28, 1956, he served ably and faithfully as a member of this body; and

Whereas his life, while brief in years, was nevertheless exemplary, and his ability, character and integrity were an inspiration to his colleagues in the Legislature, as well as to all who knew him; and

Whereas his passing is deeply mourned by the members of the Legislature; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the members of the Legislature do hereby express their deep regret at the passing of The Honorable Michael Thomas Murphy, and extend their sincere sympathy to the surviving members of his family.

Be it further resolved that a separate page of the journal of the House of Representatives be set apart for the preservation of this resolution and as a memorial to The Honorable Michael Thomas Murphy.

And be it further resolved that the Clerk of the House transmit a copy of this resolution to the family of the deceased.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Flowers, the Rules were suspended and the Resolution H. J. R. 6, set out in the foregoing Message from the House was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Harrison:

H. J. R. 7. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING:

WHEREAS, the Attorney General of Alabama has established a Legislative Division in the office of the Attorney General for the convenience of the members of the Legislature, to assist them in drafting legislation, and to advise with them on legal questions involved in matters pending before the Legislature; and

WHEREAS, it will better serve the convenience of the members of the Legislature for the Attorney General, the Chief and the Assistant Chief of the Legislative Division in the office of the Attorney General to be able to confer with members of the Legislature while the Legislature is in session:

NOW, THEREFORE, BE IT RESOLVED that the privileges of the floor of both Houses are accorded the Attorney General, the Chief and the Assistant Chief of the Legislative Division in the office of the Attorney General.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Resolution, H. J. R. 7, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint Resolution:

By Messrs. Summerlin, Brannan, Kendall, Hall, Solomon and Love:

H. J. R. 8. Whereas, the present maximum federal tax rates on both individual and corporate incomes are extremely high; and

Whereas, this federal tax burden has, in many instances, become so great as to prevent adequate taxation on the part of the states and other local governments sufficient to enable the various states to properly finance and support the public schools; and

Whereas, the education of the young people of this country is one of the gravest responsibilities and one of the most important functions of government; and

Whereas, the various states are desperately in need of additional funds if adequate educational standards are to be developed and maintained in the public schools, and thereby insure to the children of this

great country the proper education to which they are entitled; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,

(1) That the Congress of the United States is hereby memorialized to enact legislation providing for the payment to each state of one percent of the federal income tax payments collected by the district director of internal revenue from such state, such sum to be paid over to the superintendents of education of the various states by the district director of internal revenue for use in the public schools of the states and for other educational purposes.

(2) That a copy of this resolution be transmitted to the various state superintendents of education, asking them to encourage similar action in their states.

(3) That a copy of this resolution be transmitted to each member of the Alabama delegation to Congress.

And sends the same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Resolution, H. J. R. 8, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 4. Relative to development of Coosa-Alabama Rivers.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 6. Relative to requesting the United States Department of Agriculture to make available to the Alabama Department of Agriculture and Industries the sum of One Hundred Thousand Dollars (\$100,000.00) for the purpose of continuing a calfhood vaccination program.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 3. Relative to expressing sympathy to the family and many friends on the death of General Lewis A. Pick.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Jones, Vann, Yarbrough (Randolph) and Davis (Pickens):

S. 51. To validate in certain cases elections heretofore held in school districts and counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution, or for the purpose of authorizing any such tax and the consolidation of school districts.

Mr. Smith, Chairman of the standing committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Newton (With Notice and Proof):

S. 36. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Newton (With Notice and Proof):

S. 37. Relating to Walker County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

By Mr. Bradford (With Notice and Proof):

S. 45. Relating to Clarke County: Authorizing the County Board of Education of Clarke County to remove or terminate the contract of employment of any teacher, as that term is defined in Sec. 351 of Title 52, Code of Alabama of 1940, as amended, or any bus driver, in the county school system who is eligible for retirement under the old-age and survivors insurance system embodied in the Federal Social Security Act or the Teachers' Retirement System of Alabama, or both such systems.

By Mr. Engelhardt (With Notice and Proof):

S. 68. To provide for the employment of a clerical assistant by the tax assessor of Macon County, whose compensation shall be paid from the county treasury.

By Mr. Bradford (With Notice and Proof):

S. 46. To amend further Act No. 34, H. 225, approved September 24,

1932 (Local Acts of Alabama, Special Session, 1932, page 13), entitled "An Act To provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," by extending the term of office of the county superintendent of education of Clarke County from four to six years.

By Mr. Engelhardt (With Notice and Proof):

S. 69. To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury.

By Mr. Flowers (With Notice and Proof):

S. 88. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

By Mr. Flowers (With Notice and Proof):

S. 93. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex-officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

By Mr. Flowers (With Notice and Proof):

S. 94. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Mr. Engelhardt, Chairman of the standing committee on Corporations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 53. To provide for the incorporation of certain public bodies heretofore or hereafter created and established pursuant to Chapter 6 of Title

22, Code of Alabama (1940), and to prescribe the powers of such corporations in relation to the establishment and operation of certain public hospitals.

Mr. Lamberth, Chairman of the standing committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Flowers:

S. 92. Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

By Mr. Robison:

S. 75. To make an additional appropriation to the Board of Nurses' Examiners and Registration for the purchase of office supplies and equipment.

BILL REPORTED AND RE-REFERRED

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in session, had acted on the following bill and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Agriculture, to-wit:

S. 57. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the State Board of Agriculture and Industries and the Commissioner of Agriculture and Industries in relation to such markets.

And said Bill was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Agriculture.

BILL REPORTED AND RETURNED TO THE SENATE

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following Bill and ordered same returned to the Presiding Officer of the Senate, to-wit:

S. 29. To amend Sections 36, 39, 40, 41, 54, 59, 71, 115, 117, 119, 140, 161, 162, 172, 188, 191, and 198 and to repeal Sections 47, 48, 158, 159, 184, 185, 190, and 201, of Title 35, Code of Alabama 1940, as amended, all of which relate to military and naval affairs of the State of Alabama.

And said Bill was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Military.

REPORT OF INTERIM COMMITTEE ON MUNICIPAL GOVERNMENT

In accordance with the provisions of House Joint Resolution 9, Act 57, 2nd Special Session, 1956, the Interim Committee on Municipal Government filed its report with the Secretary of the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 7. Relative to adjournment of the two Houses to Tuesday, May 14, 1957, at 12 o'clock Noon

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the second legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the second legislative day approved by the Senate.

ADJOURNMENT

At 11:10 A. M., on motion of Mr. Lamberth, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, May 14, 1957, at 12 o'clock Noon.

THIRD LEGISLATIVE DAY

TUESDAY, MAY 14, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend W. J. Lineback, Minister, First Christian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Yarbrough (Randolph), Moses and Shelton:

S. 136. To appropriate three million, one hundred and fifty-one thousand dollars (\$3,151,000) for the year ending September 30, 1957, from the General Fund to the Alabama Special Educational Trust Fund to partially reduce proration of appropriations against the Alabama Special Educational Trust Fund by restoring the one million dollars (\$1,000,000) annual appropriation which amounts to two million dollars (\$2,000,000) for the biennium from the General Fund to said Trust Fund and to provide an additional one million, one hundred and fifty-one thousand dollars (\$1,151,000) for the biennium which represents the amounts appropriated for the biennium to institutions and agencies against the Alabama Special Educational Trust Fund for the first time.

Committee on Finance and Taxation.

By Messrs. Leonard, Givhan, Moses, Davis (Lowndes), Skidmore, Shelton, Allen and Roberts:

S. 137. To authorize the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama, for the purpose of financing the construction, improvement, and equipment of buildings, and acquiring sites therefor, at the Alabama Institute for Deaf and Blind; to make an appropriation for the payment of such bonds; to exempt the bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale, and issuance of the bonds, and for the disposition of the proceeds thereof.

Committee on Finance and Taxation.

By Messrs. Boutwell, Skidmore, Cantrell, Givhan, Engelhardt, James, Vann, Reeves, Yarbrough (Autauga), Shelton, Robison, Eddins, Tate, Bradford, Leonard, Jones, Hall, Grisham, Calvin, Davis (Pickens), Little, Newton and Smith:

S. 138. To provide for a long range survey of the State's educational system, creating the Alabama Education Commission and making an appropriation.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. 139. Providing further for prevention, care, treatment and rehabilitation of alcoholics; authorizing the Commission on Education with Respect to Alcoholism to establish outpatient clinics for limited care and treatment of alcoholics; authorizing the use of hospital beds wherever accessible and certain psychiatric services for the hospitalization and care and treatment of alcoholics; providing for the appointment, duties and compensation of an administrator for the Commission, providing for the appointment, duties and compensation of personnel necessary to carry out the provisions of this Act; and the keeping of records, information and research incident thereto; directing the Commission to investigate the financial condition of alcoholics requesting care and treatment at any of the clinics or other hospitals where beds are accessible, and to assess and collect from any such person that portion of the cost of his or her

care and treatment as he or she is financially able to pay; making appropriations for the purpose of carrying out the provisions of this Act.

Committee on Finance and Taxation.

By Mr. Goodwin:

S. 140. To provide an expense allowance for each member, other than the president or chairman, of the court of county commissioners, board of revenue or other like governing body of any county having a population of not less than 29,000 nor more than 29,350, according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Mr. Bradford:

S. 141. Relating to revenue; amending Section 585 of Title 51, Code of Alabama (1940), which prescribes the license tax for operators of saw mills, heading mills, and stave mills.

Committee on Finance and Taxation.

By Mr. Jones:

S. 142. To amend Section 164 of Title 47, Code of Alabama (1940), which relates to the power to sell lands under mortgage or other conveyance intended to secure the payment of money.

Committee on Judiciary.

By Mr. Cooper:

S. 143. To regulate purchasing by counties.

Committee on Finance and Taxation.

By Messrs. Little, Davis (Lowndes), James, and Cooper:

S. 144. To amend further Act No. 703, H. 544, approved September 5, 1951 (Acts of Alabama, 1951, p. 1211), which created state and county departments of public welfare, by prohibiting the payment of aid to dependent children to any unwed mother on behalf of more than one illegitimate child.

Committee on Public Welfare and
Correctional Institutions.

By Mr. Reeves:

S. 145. To Amend Section 72, of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon on requisition for extradition.

Committee on Judiciary.

By Mr. Reeves:

S. 146. To amend Section 75, of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon who consents to return without requisition.

Committee on Judiciary.

By Mr. Reeves:

S. 147. To amend Act No. 593, approved September 19, 1949, which authorized the county governing body of the several counties to purchase equipment or supplies and pay for services performed for the sheriff reasonably necessary for the suppression of crime, the apprehension of criminals, or the performance of the sheriff's duties.

Committee on Judiciary.

By Mr. Reeves:

S. 148. To amend Section 3, of Title 54, Code of Alabama, 1940, which provides for the salary of Deputy Sheriffs.

Committee on Judiciary.

By Messrs. Moses, Skidmore, Vann and Roberts:

S. 149. To Amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951, (Acts of Alabama, 1951, p. 1192) entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Committee on Judiciary.

By Mr. Van Antwerp:

S. 150. To amend Section 11 of an act heretofore adopted by the Alabama State Legislature for 1956, which such act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956 so that the period at the end of said Section 11 shall be changed to a semicolon and following such semicolon the following words and figures shall be added to said Section 11: 'Provided, that the word 'consecutive' years, as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise qualified from obtaining credit for consecutive years of service by reason of any leave of absence or other temporary non employment as an employee of the City, if such leave of absence or other non employment shall be approved by the City Council of the City of Prichard.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice Is Hereby Given That There Will Be Introduced For Passage At The Alabama State Legislature For 1957 A Local Bill Which Will Be In Substance As Follows:

"A BILL TO BE ENTITLED AN ACT"

To amend Section 11 of an Act heretofore adopted by the Alabama State Legislature for 1956, which such Act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956, by striking from the end of said Section 11 the period appearing there and substituting therefor a colon, after which said colon the following words and figures shall appear: 'Provided, that the word 'Consecutive', as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise entitled to participate in the municipal employees pension and relief fund from obtaining credit for consecutive years of service by reason of any leave of absence from employment with the City of Prichard, if such leave of absence shall be approved by the City Council of the City of Prichard.'

Be It Enacted by the Legislature of Alabama:

SECTION 1. That Section 11 of an Act adopted by the Alabama State Legislature for 1956, which such Act bears the number 107 and was approved by the Governor of Alabama on the 14th day of February, 1956, shall be and the same is hereby amended by striking the period at the end of said Section 11 and substituting a colon therefor, and that after said colon the following words and figures shall appear: 'Provided, that the word 'consecutive' as used in said Section 11 shall not be construed to

the effect that any employee of the City of Prichard, otherwise entitled to participate in the municipal employees pension and relief fund shall be penalized or shall have taken from him or her any length of service with the City of Prichard by reason of him or her having obtained a leave of absence or otherwise been temporarily out of the employ of the City of Prichard, and such leave of absence, or other non-employment of said employee shall be approved by the City Council of the City of Prichard.'

SECTION 2. This Act shall take effect immediately upon passage and approval by the Governor or by its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said State and County, personally appeared Dan Sharp who, being by me first duly sworn, did depose and say as follows:

My name is Dan Sharp. I am Publisher of The Citizen, a newspaper printed and published in the City of Prichard, County of Mobile, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in The Citizen in its issues of March 21, 28, April 4, and April 11, 1957 and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

DAN SHARP.

Sworn to and subscribed before me on this the 23rd day of April, 1957.

BERNIECE H. CENTANNE,
Notary Public, Mobile County, Ala.

My Commission Expires 7-22-58.

By Messrs. Flowers, Little, Lamberth, Yarbrough (Randolph), Skidmore, Allen, Moses, Reeves, Boutwell, Cantrell, Grisham, Leonard, Calvin, Smith, Bradford, Robison, Eddins, Cooper, Goodwin and Van Antwerp:

S. 151. Proposing an amendment to the Constitution of Alabama, to authorize the use of a portion of the proceeds derived from the levy of certain special county taxes for the purpose of providing hospital care and treatment for certain indigent residents of the county.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Flowers, Little, Lamberth, Yarbrough (Randolph), Skidmore, Allen, Moses, Reeves, Boutwell, Cantrell, Grisham, Leonard, Smith, Bradford, Robison, Eddins, Cooper, Goodwin and Van Antwerp:

S. 152. To provide a hospital service program for certain indigent residents of the State of Alabama; prescribing the power, duties, and authority of the State Board of Health in the administration and enforcement of the Act; to provide for the appointment, duties, and compensation of the members of an advisory committee, who shall consult with and advise the State Board of Health on matters pertaining to the administration and enforcement of the Act; to provide for the appointment of an admissions committee in each county to determine the indigency of persons making application for hospitalization as indigents, and to prescribe the power, duties, and compensation of members of the admissions committee; to regulate the distribution and expenditure of funds appropri-

ated for the purpose of carrying out the provisions of the Act; and to prescribe penalties for violations of the Act.

Committee on Public Health.

By Messrs. Flowers, Givhan, Boutwell, Leonard and Little:

S. 153. Relating to public health; amending further Section 9 of Title 22, Code of Alabama 1940.

Committee on Public Health.

By Mr. Flowers:

S. 154. To change the Title Superintendent of Insurance to Commissioner of Insurance.

Committee on Insurance.

By Mr. Roberts:

S. 155. To amend Sections 20 and 21 of Title 30, Code of Alabama (1940), which relate to the qualifications of persons on jury rolls.

Committee on Judiciary.

By Mr. Newton:

S. 156. To repeal Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, wit-to:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties", is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 6, 1957.

FAY O'REAR,
Notary Public.

By Mr. Newton:

S. 157. To repeal an act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney, in person or as attorney in fact, or any person related by blood or marriage to such attorney within the first or second degree in person or as attorney in fact, or the husband or wife of such attorney, either in person or as attorney in fact, or any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest, from signing any bail bond in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit for a client of such attorney, and prescribing penalties for violations of this Act," (Act No. 114, H. 331, Acts of Alabama, Regular Session 1953, Vol. I, p. 163).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal and act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney, in person or as attorney in fact, or any person related by blood or marriage to such attorney within the first or second degree in person or as attorney in fact, or the husband or wife of such attorney, either in person or as attorney in fact, or any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest, from signing any bail bond in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit for a client of such at-

torney, and prescribing penalties for violations of this Act," (Act No. 114, H. 331, Acts of Alabama, Regular Session 1953, Vol. I, p. 163).

Be It Enacted by the Legislature of Alabama:

That the act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney, in person or as attorney in fact, or any person related by blood or marriage to such attorney within the first or second degree in person or as attorney in fact, or the husband or wife of such attorney, either in person or as attorney, in fact, or any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest, from signing any bail bond in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit for a client of such attorney, and prescribing penalties for violations of this Act," (Act No. 114, H. 331, Acts of Alabama, Regular Session 1953, Vol. I, p. 163) is hereby expressly repealed.

4-18-4tc

REUBEN L. NEWTON.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, April 25, May 2, and May 9, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 14, 1957.

FAY O'REAR,
Notary Public.

By Mr. Newton:

S. 158. To repeal an act approved June 22, 1953 entitled "An Act Relating to the Fourteenth Judicial Circuit; providing for the drawing and the summoning and service by mail of petit jurors in criminal, quasi-criminal and civil cases and persons drawn for jury service to compose grand juries in the Fourteenth Judicial Circuit and providing secrecy as to names and identity of persons drawn for petit or grand jury service and prescribing penalties for violation of this Act," (Act No. 115, H. 332, Acts of Alabama, Regular Session 1953, Vol. I, P. 164).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To repeal an act approved June 22, 1953 entitled "An Act Relating to the Fourteenth Judicial Circuit; providing for the drawing and the summoning and service by mail of petit jurors in criminal, quasi-criminal and civil cases and persons drawn for jury service to compose grand juries in the Fourteenth Judicial Circuit and providing secrecy as to names and identity of persons drawn for petit or grand jury service and prescribing penalties for violation of this Act," (Act No. 115, H. 332, Acts of Alabama, Regular Session 1953, Vol. I, p. 164.

Be It Enacted by the Legislature of Alabama:

That the act approved June 22, 1953 entitled "An Act Relating to the Fourteenth Judicial Circuit; providing for the drawing and the summoning and service by mail of petit jurors in criminal, quasi-criminal and civil cases and persons drawn for jury service to compose grand juries in the Fourteenth Judicial Circuit and providing secrecy as to names and identity of persons drawn for petit or grand jury service and prescribing penalties for violation of this Act," (Act No. 115, H. 332, Acts of Alabama, Regular Session 1953, Vol. I, p. 164) is hereby expressly repealed.

4-18-4tc

REUBEN L. NEWTON.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF WALKER**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of The Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, April 25, May 2, and May 9, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 14, 1957.

FAY O'REAR,
Notary Public.

By Mr. Newton:

S. 159. To repeal an act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney from accepting employment by, or representing, a defendant in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit if the bail bond of the defendant has been signed by such attorney, in person or as attorney in fact, or by the husband or wife of such attorney, in person or as attorney in fact, or by any person, in person or as attorney in fact, related by blood or marriage to such attorney within the first or second degree, or by any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest; and prescribing penalties for the violation of this Act," (Act No. 113, H. 329, Acts of Alabama, Regular Session 1953, Vol. I, p. 162).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal an act approved June 22, 1953, entitled "An Act Prohibiting any practicing attorney from accepting employment by, or representing, a defendant in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit if the bail bond of the defendant has been signed by such attorney, in person, or as attorney in fact, or by the husband or wife of such attorney, in person or as attorney in fact, or by any person, in person or as attorney in fact, related by blood or marriage to such attorney within the first or second degree, or by any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest; and prescribing penalties for the violation of this Act," (Act No. 113, H. 329, Acts of Alabama, Regular Session 1953, Vol. I, page 162).

Be It Enacted by the Legislature of Alabama:

That the act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney from accepting employment by, or representing, a defendant in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit if the bail bond of the defendant has been signed by such attorney, in person or as attorney in fact, or by the husband or wife of such attorney, in person or as attorney in fact, or by any person, in person or as attorney in fact, related by blood or marriage to such attorney within the first or second degree, or by any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest; and prescribing penalties for the violation of this Act," (Act No. 113, H. 329, Acts of Alabama, Regular Session 1953, Vol I, p. 162) is hereby expressly repealed.

4-18-4tc

REUBEN L. NEWTON.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of The Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, April 25, May 2, and May 9, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 14, 1957.

FAY O'REAR,
Notary Public.

By Mr. Newton:

S. 160. To amend further Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentences.

Committee on Judiciary.

By Mr. Allen:

S. 161. Relating to Winston County; reorganizing the county government abolishing the Board of Revenue of Winston County, and creating in lieu thereof the Board of Finance and Control of Winston County; prescribing the power, authority, and jurisdiction of the Board of Finance and Control; providing for the selection, qualifications, terms, power, duties, and compensation of the members thereof; and to repeal conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Winston County; reorganizing the county government abolishing the Board of Revenue of Winston County, and creating in lieu thereof the Board of Finance and Control of Winston County; prescribing the power, authority, and jurisdiction of the Board of Finance and Control; providing for the selection, qualifications, terms, power, duties, and compensation of the members thereof; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Winston County, created by Act No. 84, H. 237 (Acts of Alabama, 1955, Vol. 1, p. 327), is hereby abolished, and there is hereby created in lieu thereof the Board of Finance and Control of Winston County, which shall be composed of a chairman and four associate members.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint a chairman and four associate members of the Board of Finance and Control. Two of the associate members of the board first appointed by the Governor under this section shall be appointed upon nomination of the senator from the Third Senatorial District. Two of the associate members of the board first appointed by the Governor under this section shall be appointed upon nomination of the member of the House of Representatives from Winston County. The associate members of the board first appointed by the Governor under this section shall hold office until the first Monday after the second Tuesday in January, 1961, and until their successors shall have been elected and qualified as provided herein. The chairman first appointed by the Governor under this section shall be appointed by and with the advice and

consent of the Senate, and shall hold office until the first Monday after the second Tuesday in January, 1961. On the first Monday after the second Tuesday in January, 1961, and every four years thereafter, the chairman of the board shall be appointed by the Governor, by and with the advise and consent of the Senate, for a term of four years from the date of his appointment. Vacancies in the office of chairman shall be filled by appointment by the Governor, in the same manner, for the unexpired term. The chairman of the board must be a resident and qualified elector of the county, but he may reside any place in the county.

Section 3. Winston County is hereby divided into four districts. District One shall be composed of precincts 1, 6, and 8; District Two shall be composed of precincts 2 and 11; District Three shall be composed of precincts 3, 4, and 10; and District Four shall be composed of precincts 5, 7, and 9. Successors to the associate members of the board first appointed under the provisions of this Act shall be elected at the general election to be held in November, 1960, and every four years thereafter, and shall hold office for terms of four years each from the first Monday after the second Tuesday in January next following their election, and until their successors shall have been elected and qualified. One associate member of the board shall be elected to represent each of the four districts into which the county is divided herein, and shall be elected by the qualified electors of the district he seeks to represent. Each associate member of the board must be a resident and qualified elector of the district he seeks to represent, and must reside therein during his continuance in office. Any vacancy in the office of associate member of the board shall be filled by appointment by the Governor for the unexpired term.

Section 4. The Board of Finance and Control is hereby invested with general and exclusive jurisdiction, control, and superintendence of public roads, bridges and ferries, and public road and bridge funds and money, in Winston County, Alabama, and may and shall do and perform all acts and exercise all jurisdiction and perform all the duties relative to the public roads, bridges and ferries in the county, to the construction, maintenance, repair, and superintendence and working thereof, and to the collection of road taxes in the county and the enforcement of the collection of said road taxes. The board and its members shall have and exercise all the jurisdiction, right, powers, and authority over the public roads, bridges, and ferries in Winston County, Alabama, and over the public road and bridge funds and money of the county and over the collection of the road taxes and the working of the roads in the county, and shall perform all the services and duties relative to the public roads, bridges and ferries, which are now, or which hereafter may be vested in or conferred upon courts of county commissioners, boards of revenue, and other like county governing bodies or courts of like kind under the general laws of this State. The Board of Finance and Control shall also have the power and authority to contract with the State Highway Department, for periods of not exceeding two years under any one contract, for the construction and maintenance of the public roads, bridges, and ferries of Winston County. In addition to the power, authority, duty and responsibility set forth above, the Board of Finance and Control shall, on and after the first Monday after the second Tuesday in January, 1959, be the sole and exclusive governing body of the county and shall have and exercise all the jurisdiction, power, and authority which may be by general law conferred upon or invested in courts of county commissioners, boards of revenue, and like county governing bodies in this State.

Section 5. The Board of Finance and Control shall hold regular meetings on the second Monday in each month and on the last day of each month; provided, however, that if the last day of the month shall be Sunday, the meeting shall be held on the day before the last day of the month. The board may hold special meetings upon the call of the chairman or any two associate members of the board. A majority of the

members of the board shall constitute a quorum for the transaction of business. The board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions, and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at all reasonable times.

Section 6. The chairman of the board shall be its presiding officer, and he shall have the same powers and authority other members in passing upon all questions. He shall sign the minutes of the proceedings of the board, and shall sign all warrants drawn upon the public road and bridges fund of the county, but in the event of his disability, some other member of the board shall be designated by an appropriate resolution of the board to perform such duties and functions. It shall be the duty of the chairman of the board to receive and prepare the business and obtain information for the sessions of the board, and to see to the execution of all orders thereof.

Section 7. The chairman of the Board of Finance and Control shall devote his entire time to the duties of his office and shall receive as compensation five hundred dollars (\$500.00) per month. The associate members of the board shall each receive a salary of three hundred fifty dollars (\$350.00) per month. The compensation provided herein for the chairman and associate members of the board shall be paid from any funds of the county available for that purpose, and shall be their entire compensation for the services required of them by this Act.

Section 8. Before entering upon the discharge of their duties, the chairman and associate members of the board shall each execute a bond, in the sum of seven thousand five hundred dollars (\$7,500.00) in the case of the chairman, and in the sum of three thousand dollars (\$3,000.00) in the case of the associate members. The bonds shall be payable to Winston County, with good and sufficient surety, and shall be conditioned upon the faithful discharge of their duties of office. Said bonds shall be approved by either the judge of probate of Winston County or by the judge of the circuit court of Winston County; provided, however, that said bonds may, prior to the first Monday after the second Tuesday in January, 1959, be approved by the court of county commissioners of Winston County. The bonds shall be filed and recorded in the office of the judge of probate of Winston County, and the premiums thereon shall be paid by the county.

Section 9. The roads and bridges of the county shall be constructed, repaired, and maintained on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in the construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit. The Board of Finance and Control shall adopt annually a detailed financial budget to be followed during the ensuing year in the construction, repair, and maintenance of the roads and bridges of the entire county, as provided under the general laws of the State.

Section 10. In addition to its other duties and authorities, the Board of Finance and Control shall appoint a construction superintendent for Winston County. The county construction superintendent shall have general supervision of the road and bridge work of the county, under the direction of the board, and shall devote his entire time and attention to the duties of his office. The county construction superintendent shall serve at the pleasure of the board, and shall receive as compensation for the services required of him by this Act such salary as may be fixed by the board.

Section 11. Subject to the direction and approval of the Board of Finance and Control, the county construction superintendent shall:

(1) Exercise general powers of supervision over the construction and maintenance of the county public roads and bridges, and cooperate with the county engineer toward the end that the road and bridge work of the county may be performed as effectively as possible;

(2) Employ, and when necessary, terminate the employment of, such employees as are necessary to construct, repair, and maintain the county public roads and bridges;

(3) Fix, from time to time, in accordance with prevailing economic conditions, the scales of salaries or wages to be paid for labor necessary to the construction, repair, and maintenance of the county roads and bridges;

(4) Submit regular reports to the members of the board toward the end that the policies of the board may be properly carried out; and

(5) Perform such other duties as may be required by the board.

Section 12. The county construction superintendent shall give bond of such character and in such sum as the Board of Finance and Control shall from time to time prescribe, payable to Winston County. Such bond shall be approved by the board, and the board may authorize the payment of the premium for the bond out of county funds.

Section 13. The chairman of the Board of Finance and Control of Winston County shall serve as purchasing agent for the board in the purchase and acquisition of all equipment, machinery, materials, supplies, and contractual services which the board is authorized to purchase or acquire for the county. The purchasing agent shall obtain information from the division of purchases and stores of the State Department of Finance concerning the price to the State of the items to be purchased, and, except in case of an emergency or for other sufficient cause, shall award no purchase at a price in excess of the price to the State for similar supplies, materials, equipment, or services of like kind and of similar quantity and quality. For the purposes of this section, the term "purchase price" includes the dealer's price plus all freight and shipping charges and other costs of delivery. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of the excess cost.

Section 14. The purchasing agent shall keep a current inventory of all property entrusted to the control and supervision of the board, whether owned by, or leased to, Winston County. Such inventory shall show where such property is located and in whose possession it is.

Section 15. The Board of Finance and Control shall elect and appoint a secretary of the board. The board shall procure permanent, well-bound books, similar to those provided for the minutes of the court of county commissioners, in which the secretary shall, under the direction of the chairman of the board, record all acts of the board, and the filing of all claims, auditing the same, and the allowance thereof shall be in the same manner as now provided by law as to courts of county commissioners. The secretary of the board shall also act as the treasurer of the board and for the services rendered in such capacity and as secretary he shall receive not more than three hundred dollars (\$300.00) per month, to be paid from the same funds and in the same manner as is provided in this Act for the payment of the compensation of the members of the board. Before entering on his duties, the secretary must give bond with at least two good and sufficient sureties as in the sum of ten thousand dollars (\$10,000.00), payable to Winston County and conditioned as provided by law for faithful performance of his duties, said bond to be approved by the chairman of the board and filed and recorded with the judge of probate of the county. Failure of the secretary to make the

bond as provided for herein within fifteen days from the date of appointment shall vacate his appointment. The board may appoint such other clerical assistance as may be necessary for the convenient and orderly transaction of its business, and fix their salaries and terms of employment.

Section 16. No successors shall be elected or appointed to succeed the incumbent members of the court of county commissioners of Winston County; and upon the expiration of the terms for which the incumbent members were elected, the court of county commissioners of Winston County shall be abolished. Upon the expiration of the terms of the commissioners whose terms first expire, the judge of probate and the remaining commissioners shall serve as the court of county commissioners of Winston County until the expiration of the terms for which such remaining commissioners were elected. Upon the expiration of the terms of all the incumbent county commissioners of Winston County, the judge of probate shall cease to serve as member and principal judge of the county governing body; and the Board of Finance and Control established hereby shall be the governing body of the county, and shall have and exercise all the jurisdiction, powers, and authority conferred on or vested in courts of county commissioners, boards of revenue, and like county governing bodies under the general laws of the State. After such time, the chairman of the Board of Finance and Control shall sign all warrants drawn on the county treasury, but in the event of his disability, some other member of the board shall be designated by an appropriate resolution of the board to perform such duties and functions; and the chairman of the board, in lieu of the judge of probate, shall exercise all the powers and perform all the duties required of judge of probate as to matters coming before courts of county commissioners, boards of revenue, or other like county governing bodies under the general laws of this State.

Section 17. Act No. 84, H. 237 (Acts of Alabama, 1955, Vol. 1, p. 327), and all other laws or parts of laws in conflict with this Act, are hereby repealed.

Section 18. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1957.

JAY THORNTON.

Sworn to and subscribed before me May 10, 1957.

R. J. THORNTON,
Notary Public.

By Messrs. Metcalf, Givhan, Calvin, Lamberth and Tate:

S. 162. To create a temporary commission for the study of Alabama's water resources, factors affecting water quality, and quantitative use of same, said Commission to be known as the Water Resources Study Commission; to provide for membership of said Water Resources Study Commission; to provide for the duties of said Commission; to provide for the expenditure of funds to carry out the purposes of this Act; and to provide for an expiration date for said Commission.

Committee on Seaports.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions and finds same correctly enrolled to-wit:

S. J. R. 3. Mourning the death of General Lewis A. Pick, and extending sympathy to the bereaved family.

Also:

S. J. R. 4. Memorializing Congress to enact legislation to expedite the development of Jones Bluff Dam of the Coosa-Alabama River Basin.

Also:

S. J. R. 6. Requesting the departments concerning animal husbandry of the U. S. Department of Agriculture to make available to Alabama funds for the continuation of the Brucellosis vaccination program.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 2. Relative to a joint session of the House and Senate for the purpose of hearing the message of The Honorable James E. Folsom, Governor of Alabama.

Also:

H. J. R. 3. Relative to the death of The Honorable Robert Tyler Goodwyn, Jr., and extending the sympathy of the Legislature to Mrs. Goodwyn and the others members of his family.

Also:

H. J. R. 5. Relative to requesting the Alabama State Planning and Industrial Development Board to make known to General Motors, Ford and Chrysler Corporations in detail the advantages of locating their plants in Alabama.

Also:

H. J. R. 6. Relative to the death of The Honorable Michael Thomas Murphy and extending sympathy to the surviving members of his family.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

CERTIFICATION FROM SUPERINTENDENT OF EDUCATION

May 13, 1957.

To the Senate
Alabama State Legislature
Montgomery, Alabama

In compliance with Article XIV, Section 264, of the Constitution of Alabama, I am certifying to the Senate of Alabama that the following person has been elected as Member of the University of Alabama Board of Trustees by the members of said Board, in the manner prescribed by the Constitution, since the last session of the Legislature:

Name: Ernest G. Williams; Address: Tuscaloosa, Alabama; Sixth District; To fill the term of Gordon D. Palmer, dec. expiring in 1963.

Respectfully submitted,

A. R. MEADOWS,
State Superintendent of Education.

Sworn to and subscribed before me this 14th day of May, 1957.

ELOISE STEWART,
Notary Public.

COMMUNICATION FROM SUPERINTENDENT OF EDUCATION

On motion of Mr. Skidmore, the Rules were suspended and the Senate confirmed the election of Honorable Ernest G. Williams, Tuscaloosa, Alabama, as member of the Board of Trustees of the University of Alabama, for the term expiring in 1963, which said certification of election is set out in the foregoing communication from State Superintendent of Education.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Allen (With Notice and Proof):

S. 98. Relating to Cullman County; providing that the court of county commissioners, board of revenue, or like county governing body of Cullman County shall be solely responsible for the construction, repair, and maintenance of the county roads and bridges of Cullman County, and relieving the State Highway Department of certain duties in regard there-

to; authorizing, directing, and requiring the county governing body to divide the county, or to cause the county to be divided, into four districts, and to appoint a road and bridge supervisor for each such district and fix his compensation; providing for the transfer by the State Highway Department to the county governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding financial obligations incurred in the construction, repair and maintenance of county roads and bridges in Cullman County; providing that the provisions of this Act shall become operative only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of this Act in an election held pursuant hereto; and repealing conflicting laws.

By Mr. Skidmore:

S. 106. To fix the compensation of certain officers of counties having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

RESOLUTIONS

Mr. Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 8. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the attached biennial report of the Legislative Council be received and ordered filed, and that the Secretary of the Senate be directed to have two hundred and fifty copies thereof printed as a legislative document.

On motion of Mr. Jones, the Rules were suspended and the Resolution, S. J. R. 8, was adopted by the Senate.

Messrs. Davis (Lowndes) and Boutwell offered the following Senate Joint Resolution, to-wit:

S. J. R. 9. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Alabama's Senators and Representatives in the United States Congress are hereby commended for their recent efforts to prevent enactment of the administration-supported civil rights measures now pending in the United States Congress, many provisions of which are potentially dangerous not only to the South but to all sections of the Nation. Though their sponsors would lead the world to believe that the measures are designed solely to protect the down-trodden minorities and persons deprived of rights because of race, these measures are very broad and susceptible of use in many other fields; and the provisions thereof giving the Attorney General the right to intervene in cases where civil rights are allegedly violated, could be used to take away from defendants in civil rights cases that most valued of all rights guaranteed under the Constitution, the right to jury trial; and the provisions vesting police powers in the Federal Government deprive the states of one of the fundamental powers which has long been deemed a right reserved under the Constitution to the states, one on which the state government is founded, the power to regulate, order and police its own internal affairs.

Be It Further Resolved that the Legislature of Alabama, representative of the people of this State, takes this means of assuring the State's Senators and Representatives in Congress that Alabama heartily approves of their stand on this vital matter, involving a fundamental principle of our American system of government and not just a sectional issue; urges them to continue their good offices toward forestalling enactment of these civil rights bills to the end that our Nation shall continue as a true democracy composed of independent sovereign states where the will of the governed is the supreme law of the land, instead of degenerating into a cen-

tralized despotic bureaucracy under which the enforcement of laws relating solely to the internal affairs of the several states will be at the whim of a life-time appointee, not answerable to the people of the state whose internal affairs are so regulated, and possibly not even a citizen thereof; and hereby pledges the cooperation and support of the Legislature of Alabama to its Congressional representatives in their fight to defeat legislation which infringes on the rights of this State and her citizens.

Resolved also, that the Secretary of the Senate be directed to send a copy of this resolution to each of Alabama's Senators and Representatives in Congress.

On motion of Mr. Davis (Lowndes), the Rules were suspended and the Resolution, S. J. R. 9, was adopted by the Senate.

Mr. Lamberth offered the following Senate Resolution, to-wit:

S. R. 10. Whereas the members of this body have learned with much regret of the illness of Ralph Macon, long-time Assistant Secretary of the Senate; now therefore,

BE IT RESOLVED That the members of the Senate individually and collectively do hereby extend cordial greetings to the Honorable Ralph Macon, and express their best wishes for his prompt and speedy recovery.

Be it further resolved, that a copy of this resolution be transmitted forthwith to Mr. Macon.

On motion of Mr. Lamberth, the Rules were suspended, and the Resolution, S. R. 10, was unanimously adopted by the Senate.

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 11. Be it resolved by the Senate, the House concurring, that when the two houses adjourn today, they adjourn to meet again on Friday, May 17th, 1957, at ten o'clock A. M.

Which was adopted.

MOTION IN WRITING

Mr. Dyar offered the following motion in writing, to-wit:

"I hereby move that Senate Bill Number 7 be re-referred from Senate Finance and Taxation Committee to the Senate Education Committee.

SMITH C. DYAR"

Which was read and referred to the Standing Committee on Rules.

RESOLUTION

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 12. RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the distinguished Eddy Gilmore, former chief of the Associated Press in Moscow, native of Selma, and an authority on communism and international affairs, be, and he hereby is cordially invited to address a joint session of the two Houses at 11:00 A. M. on Tuesday, May 21st, next.

RESOLVED FURTHER, that a copy of this resolution be transmitted to Mr. Gilmore forthwith upon its passage.

On motion of Mr. Givhan, the Rules were suspended, and the Resolution, S. J. R. 12, was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Albea, Boyd, Hain, Ashworth, Hardy, Lee (Barbour), Gilmer, Brown (Lamar), and Thomas:

H. J. R. 10. Memorializing the Congress of the United States of America to Propose an Amendment to the Constitution of the United States Relative to the Balancing of the Budget

RESOLVED by the Senate and House of Representatives of the Legislature of the State of Alabama:

That the Congress of the United States of America be, and it hereby is, requested to propose an article in the following form, or substantially so, as an amendment to the Constitution of the United States:

“ARTICLE —

“Section 1. On or before the fifteenth day after the beginning of each regular session of the Congress, the President shall transmit to the Congress a budget which shall set forth his estimates of the receipts of the Government, other than trust funds, during the ensuing fiscal year under the laws then existing and his recommendations with respect to expenditures to be made from funds other than trust funds during such ensuing fiscal year, which shall not exceed such estimates of receipts. The President in transmitting such budget may recommend measures for raising additional revenue and his recommendations for the expenditure of such additional revenue. If the Congress shall authorize expenditures to be made during such ensuing fiscal year in excess of such estimated receipts, it shall not adjourn for more than three days at a time until such action has been taken as may be necessary to balance the budget for such ensuing fiscal year. In case of war or other grave national emergency, if the President shall so recommend, the Congress by a vote of three fourths of all the Members of each House may suspend the foregoing provisions for balancing the budget for periods, either successive or otherwise, not exceeding one year each.

“Sec. 2. This article shall take effect on the first day of the calendar year next following the ratification of this article.

“Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three fourths of the several States within seven years from the date of its submission to the States by the Congress.”

and be it further

RESOLVED, That the Congress of the United States be, and it hereby is, requested to provide as the mode of ratification that said amendment shall be valid to all intents and purposes, as part of the Constitution of the United States, when ratified by the legislatures of three fourths of the several states, and be it further

RESOLVED, That the Secretary of State be, and hereby is, directed to send a duly certified copy of this resolution to the Senate of the United States and one to the House of Representatives of the Congress of the United States, and one copy to the Secretary of State of each of the other states.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Resolution, H. J. R. 10, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 51. To validate in certain cases elections heretofore held in school districts and counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution, or for the purpose of authorizing any such tax and the consolidation of school districts.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Shelton
Allen	Engelhardt	Lamberth	Skidmore
Boutwell	Flowers	Leonard	Smith
Calvin	Givhan	Little	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—31

Nays:

—0

The Bill:

S. 36. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

Was read a third time at length as required by the Constitution and passed, and ordered sent forthwith to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalfe	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

Nays:

—0

The Bill:

S. 37. Relating to Walker County; changing the method of compensating certain county officers; placing such officers on a salary; and

providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

Nays:

—0

The Bill:

S. 45. Relating to Clarke County: Authorizing the County Board of Education of Clarke County to remove or terminate the contract of employment of any teacher, as that term is defined in Sec. 351 of Title 52, Code of Alabama of 1940, as amended, or any bus driver, in the county school system who is eligible for retirement under the old-age and survivors insurance system embodied in the Federal Social Security Act, or the Teachers' Retirement System of Alabama, or both such systems.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

Nays:

—0

The Bill:

S. 68. To provide for the employment of a clerical assistant by the tax assessor of Macon County, whose compensation shall be paid from the county treasury.

Was read a third time at length and passed, and ordered sent forth-to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

Nays:

—0

The Bill:

S. 46. To amend further Act No. 34, H. 225, approved September 24, 1932 (Local Acts of Alabama, Special Session, 1932, page 13), entitled "An Act To provide for the election of a County Superintendent of Education by qualified electors of Clarke County, to fix his term of office, to designate the time of said election, the time at which he shall assume the duties of said office, to prescribe the salary of said superintendent and manner of payment thereof, to define his qualifications, powers and duties, to provide for filling vacancy in said office, to require said superintendent to give bond, to prescribe the nature and amount of said bond and how the premium on same shall be paid," by extending the term of office of the county superintendent of education of Clarke County from four to six years.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

Nays:

—0

The Bill:

S. 69. To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Bradford	Cooper	Dyar
Allen	Calvin	Davis (Lowndes)	Eddins
Boutwell	Cantrell	Davis (Pickens)	Engelhardt

Flowers	Jones	Newton	Smith
Givhan	Lamberth	Reeves	Tate
Goodwin	Leonard	Roberts	Van Antwerp
Grisham	Little	Robison	Vann
Hall	Metcalf	Shelton	Yarbrough (Autauga)
James	Moses	Skidmore	Yarbrough (Randolph)

—35

Nays:

—0

The Bill:

S. 88. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

Nays:

—0

The Bill:

S. 93. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

Nays:

—0

The Bill:

S. 94. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 35; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

Nays:

—0

The Bill:

S. 53. To provide for the incorporation of certain public bodies heretofore or hereafter created and established pursuant to Chapter 6 of Title 22, Code of Alabama (1940), and to prescribe the powers of such corporations in relation to the establishment and operation of certain public hospitals.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 27; Nays 0.

Yeas:

Messrs.:	Cantrell	Eddins	Goodwin
Allen	Cooper	Engelhardt	Grisham
Bradford	Davis (Lowndes)	Flowers	Hall
Calvin	Davis (Pickens)	Givhan	Lamberth

Leonard	Reeves	Skidmore	Van Antwerp
Metcalf	Roberts	Smith	Yarbrough (Autauga)
Moses	Shelton	Tate	Yarbrough (Randolph)

—27

Nays:

—0

The Bill:

S. 92 (with amendment). Relating to Department of Revenue, to authorize and direct the Commissioner of the Department of Revenue to allow a discount of two per cent (2%) on the first \$5,000.00 of tax paid to the State and of one percent (1%) on all amounts of tax paid in excess of \$5,000.00, not exceeding \$200.00 in any one calendar month to licensed and bonded refiners, storers, distributors or wholesalers of motor fuel who collect gasoline or motor fuel taxes under the provisions of Section 648 of Title 51, Code of Alabama, 1940.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 20; Nays 5.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Reeves
Allen	Davis (Pickens)	Hall	Roberts
Boutwell	Engelhardt	James	Tate
Bradford	Flowers	Lamberth	Yarbrough (Autauga)
Calvin	Givhan	Moses	Yarbrough (Randolph)

—20

Nays:

Messrs.:	Grisham	Metcalf	Shelton
Cantrell	Jones		

—5

The Bill:

S. 75. To make an additional appropriation to the Board of Nurses' Examiners and Registration for the purchase of office supplies and equipment.

Was taken up.

On motion of Mr. Roberts, further consideration of the Bill was postponed until the next Legislative Day.

Mr. Robison moved that the Senate reconsider the vote by which further consideration of the Bill, S. B. 75, was postponed to the next Legislative Day. The motion to reconsider prevailed.

And said Bill was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Cooper	Flowers	Jones
Allen	Davis (Lowndes)	Givhan	Lamberth
Boutwell	Davis (Pickens)	Goodwin	Leonard
Bradford	Dyar	Grisham	Little
Calvin	Eddins	Hall	Metcalf
Cantrell	Engelhardt	James	Moses

Reeves	Shelton	Van Antwerp	Yarbrough (Aulaga)
Roberts	Skidmore	Vann	Yarbrough (Randolph)
Robison	Tate		—33
Nays:			—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 9. Relative to pledging the cooperation and support of the Legislature of Alabama to its Congressional representatives in their fight to defeat legislation which infringes on the rights of this State and her citizens.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 8. Relative to printing of the biennial report of the Legislative Council.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 11. Relative to adjournment of the two Houses until Friday, May 17, 1957, at ten o'clock A. M.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 12. Relative to inviting Eddy Gilmore to address a joint session of the two Houses at 11:00 A. M. on Tuesday, May 21st, next.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the third legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the third legislative day approved by the Senate.

ADJOURNMENT

At 1:30 P. M., on motion of Mr. Davis (Pickens), and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, May 17, 1957, at 10 o'clock A. M.

FOURTH LEGISLATIVE DAY

Friday, May 17, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. Henry L. Lyon, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 9. Commending Alabama's Senators and Representatives in the U. S. Congress for their recent efforts to prevent enactment of the administration supported civil rights measure now pending in Congress.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Calvin, Vann, Flowers, Allen, Lamberth, Skidmore, Roberts, Robison, Givhan, Boutwell, Jones, Bradford, and Leonard:

S. 163. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

Committee on Finance and Taxation.

By Messrs. Leonard and Little:

S. 164. Relating to the regulation of the issue, sale, gift or other disposition, or use of trading stamps, for or with the sale of tangible personal property or services; providing for the escheat to the State of the redeemable face value of trading stamps not redeemed within a specified period of time; providing for penalties for the violation of this Act; providing remedies for the enforcement of this Act.

Committee on Judiciary.

By Messrs. Davis (Pickens), Engelhardt, Bradford, Tate, Hall and Yarbrough (Autauga):

S. 165. To amend further Sections 358, 359, 360 and 361 of Title 52, Code of Alabama (1940), which relate to the cancellation of certain teachers contracts of employment.

Committee on Education.

By Mr. Bradford:

S. 166. To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund", and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation.

Committee on Forestry and Conservation.

By Messrs. Cooper, Davis (Pickens), Givhan, Engelhardt, Little, Bradford, Davis (Lowndes), James, Hall, Eddins, Yarbrough (Randolph),

Tate, and Yarbrough (Autauga):

S. 167. Proposing an amendment to the Constitution relating to the payment of poll taxes as a prerequisite to voting.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Flowers, Givhan, Grisham, Moses, Robison, Engelhardt, Vann, Yarbrough (Randolph), Boutwell, Roberts, and Lamberth:

S. 168. To provide that Radio and Television Stations or Networks shall not be liable for certain defamatory statements by persons other than the owner, licensee, operator, agent or employee thereof.

Committee on Judiciary.

By Mr. Robison:

S. 169. To Amend Section 348 of Title 51, Code of Alabama (1940).

Committee on Finance and Taxation.

By Messrs. Givhan, Vann, Moses, Metcalf, Engelhardt, Dyar, Leonard, Smith, Hall, Eddins, Davis (Lowndes), Reeves, Cooper, Boutwell, Little, Van Antwerp, Flowers, Calvin, Bradford, Davis (Pickens), Robison, Goodwin, Yarbrough (Autauga), Grisham, Newton, and Lamberth:

S. 170. To amend Section 29 of an act known as the "Alabama Coal Mine Safety Law of 1949" (Act No. 207, S. 134, Acts of Alabama, Regular Session 1949, p. 242), to provide for the use of millisecond blasting in conformity with the requirements prescribed by the Bureau of Mines of the United States Department of the Interior.

Committee on Mining and Manufacturing.

By Mr. Van Antwerp:

S. 171. To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as "The Water Works and Sewer Board Employees' Pension and Relief Fund"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payments for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that there will be introduced for passage in the Alabama State Legislature for 1957 a local bill which will be in substance as follows:

"A BILL TO BE ENTITLED AN ACT"

To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as "The Water Works and Sewer Board Employees' Pension and Relief Fund;" to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payment for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof.

Be It Enacted by the Legislature of Alabama:

SECTION 1. There is hereby created and provided for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board), special funds to be known as "The Water Works and Sewer Board Pension and Relief Funds", which shall exist and be maintained for the benefit of the persons hereinafter referred to and shall be derived and raised in the manner hereinafter provided.

SECTION 2. Such funds shall be set apart by the Manager of the Board, or such person as may be designated by the Manager, into separate funds and shall be held and maintained by the Board as hereinafter provided.

SECTION 3. There shall be a pension and relief system which shall apply to and include all permanent employees of the Board, which such pension and relief system shall be administered through a fund to be known as "The Water Works and Sewer Board Pension and Relief Fund," as provided for herein which such fund shall be derived and raised, received, obtained and created, although not exclusively, in the following manner:

By payment into the fund by the Board a monthly amount equal to Seven and one-half (7½ %) Percent, Two and one-half (2½ %) Percent shall be held and deducted by the Board from the salary or compensa-

tion of each employee covered, and the remaining Five (5%) Percent shall be paid into the fund by the Board from funds other than those derived from the Two and one-half (2½%) Percent held and deducted from the salaries or other compensation of the employees covered by this act.

SECTION 4. Monies or other things of value may be donated to the fund by any person, firm or corporation. Such donations or gifts may be outright, in which such event the corpus thereof shall become a portion of the fund, or may be held in trust by the person or persons responsible for the operation of the fund, with the profits or income therefrom becoming a part of the fund.

SECTION 5. All monies properly belonging to the fund shall be kept in a special account, or accounts, and may, in the discretion of the person or persons charged with the duties of administering the fund be invested in any securities provided by law to be suitable investments for trust funds. The mortgages, bonds or other evidences of indebtedness shall be maintained and kept separate and apart from the other municipal securities; provided, that the Board may employ the services of a National Bank in Mobile County to handle all matters relative to the investment of the funds designated hereunder.

SECTION 6. Every permanent employee of the Board shall come under the provisions and benefits of this Act; provided, that no officers of the Board appointed by the City Council of the City of Prichard shall be entitled to the benefits hereunder.

SECTION 7. The Board shall hear and decide all applications for pensions and relief under this Act and the decision upon such application shall be final and conclusive, and shall not be subject to review or reversal except by the Board. The Board shall cause a complete and separate record to be kept of all of its meetings and procedures under this Act.

SECTION 8. Warrants drawn against the fund shall be signed and executed by the proper authorities of the Board. Such warrants shall, however, be of a different color or otherwise distinguishable from other warrants of the Board, and shall be kept separate and apart therefrom. No portion of said pension and relief funds shall, before or after its order for distribution, be seized and held or be in anywise subject to garnishment or levy or execution or attachment issued out of or by any Court of this State or any other State, so far as the same may be sought to respond to the payment or satisfaction of any debt, damage, demand, claim, judgment or decree against any beneficiary of such fund, but the same shall be totally exempt therefrom.

SECTION 9. That if any employee of the Board, while in the performance of his or her duties, becomes and is found to be temporarily totally disabled, mentally or physically, for services to the Board, by reason of service therefor, the Board shall order the payment of and there shall be paid from the proper fund herein provided for, to such disabled member, an amount equal to Fifty (50%) Percent of his or her compensation at the time of the commencement or discovery of such disability, or an amount equal to Fifty (50%) Percent of the average compensation of such employee over the past Five (5) calendar years, whichever shall be the greater, not exceeding One Hundred (\$100.00) Dollars per month during such total disability, which payment shall be made monthly or semi-monthly and for a period not longer than one year; and such disability shall be arrived at by such authority, after report from a reputable physician by the Board, and after consideration of such other evidences, medical or otherwise, which the Board may desire to produce; this, provided such employee, during the same period is paid no salary as an employee of the Board.

SECTION 10. If any employee of the Board, while in the performance of his or her duties, becomes or is found to be physically or mentally permanently disabled for services in his or her respective departments, by reason of service therein, so as to render his or her retirement from such services necessary, the Board shall make such necessary orders and shall retire such disabled employees from service in the department in which the disability occurred; and upon such retirement, such member shall be paid monthly or semi-monthly, from the fund, an amount equal to Sixty (60%) Percent of his or her compensation at the time of such disability or an amount equal to Sixty (60%) Percent of average compensation of such employee over the past Five (5) years, whichever shall be the greater. Provided that such payments shall not continue for a period of longer than Five (5) years; provided further that during such Five (5) years such employee shall be considered an employee of the Board for retirement purposes. Should any employee of the Board who has been employed by the Board for a period of Fifteen (15) years be found physically or mentally totally or partially disabled through no misconduct on his or her part for services in any department of the Board, so as to render his or her retirement from such service necessary, the Board shall make necessary orders, and shall retire such disabled employee from service with the Board, and upon such retirement said Board employee shall be paid monthly or semi-monthly from the fund an amount equal to Fifty (50%) Percent of his compensation at the time of his or her becoming disabled or such disability being discovered, or an amount equal to Fifty (50%) Percent of the average compensation of such employee over the past Five (5) calendar years, whichever shall be the greater. Provided that such payments shall not continue for a period of longer than Five (5) years; provided further that during such Five (5) years such employee shall be considered an employee of the Board for retirement purposes. Such employee may be called back and examined at any time under the orders of the Board, and may be ordered back to active service in connection with the Board, such as he is able to perform according to the instructions, findings and orders of the Board.

SECTION 11. Any employee of the Board, except as herein otherwise provided, who has been in the service of the Board for as long as Twenty (20) consecutive years and who is then employed by the Board, upon his or her making application to the Board shall be retired from service as an employee without medical examination or disability. Any employee who has been in the service of the Board for as long as Twenty (20) consecutive years and whose employment has been terminated prior to his making application for retirement from service as an employee shall be entitled to make application for retirement as an employee without medical examination or disability as if he were yet an employee of the Board provided such application is made in writing to the Board within Sixty (60) days from the date his employment was terminated, and be entitled to the benefits accorded by this Act. In the event of the discharge, without just cause, of any permanent employee who has served as many as ten (10) continuous years, such person shall, upon reaching the retirement age, as the case may be, be entitled to and receive from the fund a sum equal to two and one-half Percent (2½%) of his or her annual compensation at the time of his or her discharge, or two and one-half Percent (2½%) of the average annual compensation of such employee over the past Five (5) calendar years, whichever shall be greater, for each year or major fraction thereof that said employee shall have served at the time of dismissal. Upon retirement in the manner provided by this Act, the said Board shall direct the payment to such retiring person monthly, from the fund a sum equal to one-half (½) of the compensation or salary received by such retiring person as salary in the service or employment of said Board at the time of his or her retirement or termination; or an amount equal to Fifty (50%) Percent of the average compensation of such employee over the past Five

(5) calendar years, which ever shall be the greater, provided, however, that such payments to said retired person shall not commence or be effective until said person has attained the age of Fifty-five (55) years; provided further, that no person enjoying any of the benefits hereunder shall not be eligible to participate in any other municipal retirement or pension plan.

SECTION 12. Any employee of the Board who is qualified hereunder and who shall have been in the service of the Board for Twenty (20) consecutive years, upon making written application to the Board therefor, shall, without medical examination or disability, be retired from service of the Board and upon such retirements, the said Board shall direct the payment to such retiring employee if he be Fifty-Five (55) years of age or more, monthly from such fund, a sum equal to one-half ($\frac{1}{2}$) of the monthly compensation received by such employee as salary at the time of his retirement, or an amount equal to Fifty (50%) Percent of the average compensation of such employee over the past Five (5) calendar years, whichever shall be the greater. Any employee of the Board who has been in the service thereof for as long as Thirty (30) years upon making written application to the Board therefore, shall, without medical examination or disability be retired from service of such Board, and upon such retirement the Board shall direct the payment to such retiring employee, if he or she be over the age of Fifty-Five (55) years of age, monthly from such fund a sum equal to Fifty-Five (55%) Percent of the monthly compensation received by such employee as salary at the time of his retirement, or an amount equal to Fifty-Five (55%) Percent of the average compensation of such employee over the past Five (5) calendar years, whichever shall be the greater.

Any employee of the Board who has been in the service thereof for as long as Thirty-Five (35) consecutive years, upon making written application to the Board therefor, shall, without medical examination or disability, be retired from service of such Board and upon such retirement, the said Board shall direct the payment to such retiring employee, if he or she be more than Fifty-Five (55) years, monthly from the fund, a sum equal to Sixty (60%) Percent of the monthly compensation received by such employee as salary at the time of his retirement, or an amount equal to Sixty (60%) Percent of the average compensation of such employee over the past Five (5) calendar years, whichever shall be the greater.

SECTION 13. That whenever an active or retiring employee of the Board shall die while in the employ of such Board, there shall be appropriated and paid from the said funds the sum of Two Hundred Fifty (\$250.00) Dollars for funeral and burial expenses of such deceased employee, which such sum shall be used for such funeral and burial expenses and paid out on order of the head of the department of which such employee was a member.

SECTION 14. In all matters involving the disability or sickness of an employee of said Board, the Board, or other governing body shall have such disabled member, or such sick member, as it sees fit, examined by a reputable physician of the City of Prichard, who shall make his report in writing to the Board and to the employee. Any employee who refuses to allow a reasonable examination by such physician on the authority referred to herein shall, during the continuance of such refusal be barred from receiving any benefits whatever under this Act.

SECTION 15. The benefits provided for the employees of the Board hereunder shall not be reduced or prorated among those properly entitled to receive from said funds and should, at any time, the fund be insufficient to pay in full the benefits and to defray the expenses for, it

shall be the duty of the Board to make provision therefor in accordance with the provisions of this Act.

SECTION 16. There shall be kept by the Manager of the Board, or by a person designated by him a book to be known as the "List of Retired Employees." Such book shall also give a full and complete history and record of the action of the Board in retiring any and all person under this Act, showing the names, dates of retirement, date of entering service in such department, periods of employment, date of retirement and the reason for such retirement, if any.

SECTION 17. That it shall be the duty of the Attorney for the Board to give advice to the Board in all matters pertaining to the administration of this Act and the management of such fund, whenever requested to so do, and he shall represent and defend the Board in all matters arising from the administration hereof.

SECTION 18. The Board may, in its discretion, create a separate supervisory board to carry out the provisions of this Act, such supervisory board to be known as the "Board of Pensions" and shall consist of not less than Three (3) nor more than Five (5) reputable bona fide residents of the City of Prichard, who shall serve terms to be designated by the Board, and shall be subject to removal by the Board at any time. Whenever such Board shall be created it shall have the same ministerial power as herein conferred on the Board, and all reference in this Act made to the Board shall, so far as it practicable, be also applicable to the Board of Pensions; provided, that any suit brought on behalf of the Board under the provisions of this Act shall be brought in the name of the Board.

SECTION 19. Any present employee of the Board may elect at any time not to come within the provisions of this Act, and should he or she so elect not to come within the provisions hereof, no part of his or her compensation shall be deducted as a contribution to the pension and relief fund. His or her election to not come within the provisions of this Act must be in writing, signed by him, witnessed by two (2) reliable witnesses and filed with the Board or the Board of Pensions, if a Board of Pensions be in existence. Thereafter such person shall not be allowed to come within the provisions of or be entitled to any benefit under this Act, unless he or she first make application to said authorities and said authorities approve such application. In any event he or she shall not be credited for services during the time which he or she elected not to come within the provisions hereof; provided, that all persons employed after the passage of this Act shall be bound by all of the provisions hereof.

SECTION 20. This Act shall apply to all permanent employees of the Board who are now or who may hereafter be in the employment of the Board, except for officers or directors appointed by the City Council of the City of Prichard. However, in no event shall payment of benefits or any other sums, including refunds hereunder commence until the first day of January 1961.

SECTION 21. That if any section, paragraph, sentence, clause, word or other provision of this Act shall be held or declared to be unconstitutional or void it shall not effect or destroy the validity or constitutionality of any other section, paragraph, sentence, clause, word or provision of this Act which is not itself void or unconstitutional, it being the expressed intent of the Legislature that such remaining valid portions of this Act would have been adopted by the Legislature in any event.

SECTION 22. Whenever any person who contributes to the Fund provided for by this Act shall have contributed to such Fund for at least Five (5) full years and less than Ten (10) years or shall be dismissed for cause after Ten (10) years, he or she, upon being voluntarily or oth-

erwise separated from the services of the Board under circumstances not entitling him or her to benefits hereunder, shall be entitled to repayment from the fund of Fifty (50%) Percent of all amounts contributed by him or her, but without interest.

SECTION 23. This Act shall take effect immediately upon its passage and approval by the Governor; provided, that this Act shall never be construed nor enforced so as to authorize any municipal authorities to grant any extra compensation, fee or allowance to any public officer, servant, employee or agent, after service shall have been rendered, nor shall it ever be construed or enforced so as to authorize the retirement of any officer on pay or part pay or make any grant to any retiring officer, but this Act shall be construed to the effect that all funds or monies paid out or expended under and by virtue hereof shall be paid for services to be performed or duties to be discharged in the future by persons or officers to whom such payments are made. The Board may, however, assign duties and impose services to be performed by the person or officer for whose benefit this Act is intended and may make appropriations and payments to such person or officer in consideration of the performance or discharge of such duties so imposed upon them.

**STATE OF ALABAMA
COUNTY OF MOBILE**

Before me, the undersigned authority in and for said State and County, personally appeared Dan Sharp who, being by me first duly sworn, did depose and say as follows:

My name is Dan Sharp. I am publisher of The Citizen, a newspaper printed and published in the City of Prichard, County of Mobile, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in The Citizen in its issues of April 11, 18, 25; May 2, 1957 and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

DAN SHARP.

Sworn to and subscribed before me on this the 2 day of May, 1957.

ANNA NORA HALLETT,
Notary Public, Mobile County, Alabama.

My Commission Expires 1-9-60.

By Mr. Roberts:

S. 172. To amend Sections 5, 12, 14, 15 and 21 of an Act entitled "An Act to establish in all cities in the State of Alabama, which now have a population of as many as 35,000 and less than 75,000 according to the last Federal Census, or which shall have such population according to any such census that may hereafter be taken, a Policemen and Firemen's Retirement Fund, and to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and a Secretary-Treasurer thereof for such Fund and to provide for their duties, powers, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for hereunder and payment of benefits to widows, orphans, and widowed mothers of such members; to prescribe duties of the city attorney; to provide for payment of expenses by said Board of Trustees; and to provide for appeals from rulings of the Board of Trustees." approved July 9, 1943, as amended by an Act entitled "An Act to amend Sections 5, 12, 15, 17 and 18 of an Act of the Legislature entitled 'An act to establish in all cities in the State of Alabama, which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census,

or which shall have such population according to any such census that may hereafter be taken, a Policemen and Firemen's Retirement Fund, and to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and a Secretary-Treasurer thereof for such fund and to provide for their duties, powers, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for hereunder and payment of benefits to widows, orphans, and widowed mothers of such members; to prescribe duties of the city attorney; to provide for payment of expenses by said Board of Trustees; and to provide for payment of expenses by said Board of Trustees; and to provide for appeals from rulings of the Board of Trustees', approved July 9, 1943, Act No. 379, General Acts, 1943, p. 349," approved June 28, 1945.

Committee on Municipalities and Municipal Organizations.

By Mr. Roberts:

S. 173. To repeal an Act of the Legislature entitled "An Act relating to Cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1953, which created and established a retirement system for Policemen and Firemen of such cities (Act No. 379 H. 786, General Acts 1943, page 349", approved August 22, 1951 (1951 Acts page 909).

Committee on Municipalities and Municipal Organizations.

By Mr. Givhan:

S. 174. To make an appropriation to provide for the construction of an auditorium at the Piedmont Agricultural Experiment Sub-station in Tallapoosa County.

Committee on Finance and Taxation.

By Mr. Reeves:

S. 175. To provide that the Commissioner of Revenue shall have authority to designate agents of the Department of Revenue, not to exceed four in number, who shall have authority to serve writs of process and levy on and sell property on executions issued by the Department of Revenue; to provide that such agents shall not be entitled to any fees for the acts and services described herein; to provide for the giving of bond by such agents; to provide for an effective date of this Act.

Committee on Judiciary.

By Mr. Reeves:

S. 176. To amend Sections 1 and 6 of an Act entitled "Establishing a system of diversified prison industries to be operated with the use of prisoners of the State; providing for the classification and training of prisoners employed in prison industries; providing for the requisitioning, purchase, and supply of prison products for the use and consumption of tax supported institutions, departments, boards, commissions and other agencies of the State; providing for the purchase of supplies, materials and equipment required for the operation of prison industries, establishing a revolving fund for the operation of prison industries; and providing penalties for violations of this Act," approved August 31, 1953.

Committee on Finance and Taxation.

By Messrs. Robison, Reeves, Flowers, Engelhardt, Roberts, Tate and Eddins:

S. 177. An act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a Peace Officer, Merchant, or Merchant's Employee, shall not render Merchant, Merchant's Employee, or Peace Officer criminally or civilly liable for false arrest, false impris-

onment or unlawful detention; providing for arrest without a warrant by a Peace Officer upon probable cause, and exempting merchants or their employees from civil or criminal liability where probable cause exists to believe a person committed larceny of goods held for sale.

Committee on Judiciary.

By Messrs. Skidmore, Givhan, Flowers, Jones, Newton, Yarbrough (Randolph), Yarbrough (Autauga), Moses, Calvin, Engelhardt, Lamberth, Davis (Lowndes), Bradford, Cooper, Allen, Hall, Dyar, Eddins, Davis (Pickens), Robison, Metcalf, Little, Leonard, Grisham, Roberts, Reeves, Goodwin, James, Vann and Van Antwerp:

S. 178. To amend further Section 29 of Title 60, Code of Alabama (1940).

Committee on Finance and Taxation.

By Messrs. Vann and Skidmore:

S. 179. Requiring the boards of registrars to record the names of, and certain other information relative to registered voters who are transferred from one election district to another; requiring a copy of such record to be filed with the judge of probate; and requiring voter transfer books to be furnished the boards of registrars at the expense of the State.

Committee on Privileges and Elections.

By Messrs. Skidmore and Vann:

S. 180. Requiring the court of county commissioners, board of revenue or like governing body of each county, or the authority in each county charged with the establishment of election districts, to furnish the board of registrars with the descriptions of the boundaries of election districts within the county, with a map of the county showing such districts, and with the revised boundaries of election districts whenever changes or alterations are made therein.

Committee on Privileges and Elections.

By Messrs. Vann and Skidmore:

S. 181. To provide that persons whose names are stricken from the lists of registered voters on account of error on the part of any board of registrars may have their names reinstated upon such list, upon completion of a form and approval by the board of registrars.

Committee on Privileges and Elections.

By Messrs. Vann and Robison:

S. 182. To authorize the boards of registrars to strike the names of registered voters from the registration lists at any time the board is in session, provided that certain conditions prescribed in the Act have been met.

Committee on Privileges and Elections.

By Mr. Shelton:

S. 183. To amend further Section 100 of Title 52, Code of Alabama (1940), which relates to the qualifications and selection of school trustees.

Committee on Education.

BILL REPORTED AND RE-REFERRED

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said committee, in session, had acted on the following Bill and ordered same returned to the Presiding Officer of the Senate, with the recommendation that it be re-referred, to-wit:

S. 70.

And said Bill was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

BILL REPORTED AND RE-REFERRED

Mr. Roberts, Chairman of the Standing Committee in Judiciary, reported that said Committee, in session, had acted on the following Bill and ordered same returned to the Presiding Officer of the Senate, with the recommendation that it be re-referred, to-wit:

S. 72.

And said Bill was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Finance and Taxation.

BILL REPORTED WITH RECOMMENDATION TO RE-REFER

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in session, had acted on the following Bill, and ordered same returned to the Senate with the recommendation that it be re-referred to the Standing Committee on Agriculture, to-wit:

S. 7.

Mr. Dyar moved that the Bill, S. 7, be re-referred to the Standing Committee on Education, which motion was adopted.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Newton
Allen	Dyar	Leonard	Shelton
Bradford	Flowers	Little	Skidmore
Calvin	Goodwin	Moses	Tate
Davis (Lowndes)	Grisham		

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Nays:

Messrs.:	Engelhardt	Jones	Robison
Boutwell	Givhan	Metcalf	Van Antwerp
Cooper	Hall	Reeves	Yarbrough (Autauga)
Eddins	James		

—13

And said Bill was re-referred to the Standing Committee on Education.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Cooper:

S. 54. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, page 734), the Act which established the Employees' Retirement System of Alabama.

By Mr. Boutwell:

S. 42. To Amend Section 151 of Chapter 8 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 206 of Acts of the 1943 Session

of the Legislature, and as amended by Act No. 418 of the 1951 Regular Session of the Legislature.

By Messrs. Metcalf and Roberts:

S. 111. To amend Section 44 of Title 11, Code of Alabama (1940), which relates to the fees allowed witnesses for mileage and attendance in civil cases.

By Messrs. Metcalf and Roberts:

S. 110. To amend Section 103 of Title 11, Code of Alabama (1940), which relates to the fees and compensation of witnesses in criminal cases.

By Messrs. Jones and Calvin:

S. 52. To amend Title 34, Section 74, Code of Alabama, 1940, which relates to contracts between husband and wife, by deleting therefrom the provision prohibiting a wife from becoming the surety for the husband.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Flowers, Givhan, Shelton, Yarbrough (Autauga), Davis (Lowndes), Davis (Pickens), Little, Reeves, Eddins, Hall, Boutwell, Cooper, James, Tate, Roberts, Engelhardt and Allen:

S. 16. To exempt all livestock (including poultry) from all taxes levied and assessed on property according to its value.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison (with notice and proof):

S. 117. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

By Mr. Goodwin:

S. 140. To provide an expense allowance for each member, other than the president or chairman, of the court of county commissioners, board of revenue or other like governing body of any county having a population of not less than 29,000 nor more than 29,350, according to the last or any subsequent federal decennial census.

By Mr. Van Antwerp (with notice and proof):

S. 150. To amend Section 11 of an act heretofore adopted by the Alabama State Legislature for 1956, which such act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956 so that the period at the end of said Section 11 shall be changed to a semicolon and following such semicolon the following words and figures shall be added to said Section 11: 'Provided, that the word 'consecutive' years, as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise qualified from obtaining credit for consecutive years of service by reason of any leave of absence or other temporary non employment as an employee of the City, if such leave of absence or other non employment shall be approved by the City Council of the City of Prichard.

By Mr. Newton (with notice and proof):

S. 156. To repeal Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to

Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties."

By Mr. Newton (with notice and proof):

S. 157. To repeal an act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney, in person or as attorney in fact, or any person related by blood or marriage to such attorney within the first or second degree in person or as attorney in fact, or the husband or wife of such attorney, either in person or as attorney in fact, or any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest, from signing any bail bond in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit for a client of such attorney, and prescribing penalties for violations of this Act," (Act No. 114, H. 331, Acts of Alabama, Regular Session 1953, Vol. I, p. 163).

By Mr. Newton (with notice and proof):

S. 158. To repeal an act approved June 22, 1953 entitled "An Act Relating to the Fourteenth Judicial Circuit; providing for the drawing and the summoning and service by mail of petit jurors in criminal, quasi-criminal and civil cases and persons drawn for jury service to compose grand juries in the Fourteenth Judicial Circuit and providing secrecy as to names and identity of persons drawn for petit or grand jury service and prescribing penalties for violation of this Act," (Act No. 115, H. 332, Acts of Alabama, Regular Session 1953, Vol. I, P. 164).

By Mr. Newton (with notice and proof):

S. 159. To repeal an act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney from accepting employment by, or representing, a defendant in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit if the bail bond of the defendant has been signed by such attorney, in person or as attorney in fact, or by the husband or wife of such attorney, in person or as attorney in fact, or by any person, in person or as attorney in fact, related by blood or marriage to such attorney within the first or second degree, or by any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest; and prescribing penalties for the violation of this Act," (Act No. 113, H. 329, Acts of Alabama, Regular Session 1953, Vol. I, p. 162).

By Mr. Allen (with notice and proof):

S. 161. Relating to Winston County; reorganizing the county government abolishing the Board of Revenue of Winston County, and creating in lieu thereof the Board of Finance and Control of Winston County; prescribing the power, authority, and jurisdiction of the Board of Finance and Control; providing for the selection, qualifications, terms, power, duties, and compensation of the members thereof; and to repeal conflicting laws.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Metcalf, Givhan, Engelhardt, Flowers, Goodwin and Smith:

S. 58. To authorize and provide for the producers of certain agricultural commodities to act jointly and in cooperation with handlers, processors, and the State Department of Agriculture and Industries in promoting the production, distribution, use and consumption of such commodities; providing that producers may levy upon themselves assessments for the purpose of financing a promotional program, and providing for the imposition of such assessments and the collection thereof; superseding an act approved October 9, 1947 entitled "An Act To enable farmers who are producers of agricultural commodities to act jointly with dealers and processors in promoting the sale, distribution and consumption of such Alabama products" (Act No. 699, H. 594, General Acts of 1947, p. 536).

By Messrs. Metcalf and Goodwin:

S. 57. To further promote the agricultural interests of the State by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the State Board of Agriculture and Industries and the Commissioner of Agriculture and Industries in relation to such markets.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Flowers, Givhan, Boutwell, Leonard and Little:

S. 153. Relating to public health; amending further Section 9 of Title 22, Code of Alabama 1940.

Mr. Metcalf Chairman of the Standing Committee on Military reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Metcalf, Cantrell, Little and Lamberth:

S. 112. To regulate further the military forces of the State; placing the duty of administering all affairs pertaining to the state military forces on the State Military Department; prescribing the qualification of certain military officers; providing for appointment and removal of certain officers; and requiring certain phases of the organization of the state military forces to conform to federal laws governing the armed forces and to regulations of the United States Department of Defense.

RESOLUTIONS

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 13. BE IT RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again on Tuesday, May 21st, 1957, at 10:30 o'clock A. M.

Which was adopted.

Messrs. Metcalf and Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 14. WHEREAS, by the 1954 amendment to the federal Atomic Energy Act private companies and individuals were authorized to own nuclear materials, ownership of which prior thereto had been vested solely in the federal government;

WHEREAS, this far-reaching change in the legal status of activities involving nuclear materials makes them subject for the first time to state control and regulation;

WHEREAS, more and more decisions about the development of nuclear energy will be made by private business and to an increasing extent work in this area will be financed by private capital;

WHEREAS, many state agencies will be directly or indirectly concerned and affected by the growing use of nuclear energy;

WHEREAS, these changes make it imperative that the State of Alabama be prepared to assume its responsibility to promote and stimulate the development of nuclear energy and to protect the health, safety and welfare of the citizens of the State from the harmful effects of the careless handling of nuclear energy;

WHEREAS, the Atomic Energy Commission recognizes the rights of the states in this field, and has recommended that a cooperative approach to problems relative to nuclear energy is desirable, since uniformity of regulations of nuclear energy will tend to encourage a healthy development of the industry while at the same time affording ample protection for the public; and

WHEREAS, several states have already taken action in this field, the States of Florida, Illinois, Michigan, New York, Texas, Virginia and Wisconsin having undertaken special studies of developments in this broad field and at least five states, Connecticut, Maine, New Hampshire, Rhode Island and South Carolina having enacted state atomic energy laws;

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That a legislative committee is hereby created to study developments in the field of nuclear energy with particular reference to the role that the states are or should be taking therein, and to report its finding as early as possible, and make recommendations, accompanied by suggested bills to enable Alabama to assume its role in this field in a manner consistent with federal and other states' activities therein, so that action thereon may be taken during the current session of the Legislature.

2. The committee shall consist of two members from the Senate, to be appointed by the President, and three members from the House of Representatives, to be appointed by the Speaker of the House. The members of the committee shall elect from among their number a chairman, and the committee shall meet at the call of the chairman. Any vacancy on the committee from either House shall be filled by appointment by the Speaker of the House or the President of the Senate, as the case may be.

Which was read and referred to the Standing Committee on Rules.

Mr. Eddins offered the following Senate Joint Resolution, to-wit:

S. J. R. 15. WHEREAS the legislative measures recommended by the joint committee created by S. J. R. 68, approved September 2, 1955, have been presented to the Legislature as required by said resolution; now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That said joint committee be and hereby is discharged, and the resolution and order creating the same is hereby rescinded.

On motion of Mr. Eddins, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Engelhardt offered the following Senate Joint Resolution, to-wit:

S. J. R. 16. WHEREAS, Black Monday, May 17, 1954, is the day forever associated in American History with the announcement of the most infamous decision ever made by the Supreme Court of the United States, and

WHEREAS, on that Black Monday, the Federal Supreme Court at Washington, setting aside and annulling eighty-six years of sound judicial precedent, declared racial segregation in the public schools, owned and operated by the States of the Union, unconstitutional on the spurious ground that these statutes denied Negroes the equal protection of the laws; and

WHEREAS, this Black Monday decision abolished segregation in public schools required by State Law in: Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia; and

WHEREAS, this Black Monday ruling, nullifying segregation in the public schools of the States, written by Earl Warren, eulogized as a great Republican Chief Justice by the Vice President of the United States, is a distortion and perversion of the United States Constitution; and

WHEREAS, this School Segregation decision of the Federal Supreme Court, departing from the long established law of separate, but equal school facilities for the Whites and Blacks is not based on any facts shown by the record before the Court, not on factual truths, not on anything in the Constitution, but on so-called psychological knowledge; and

WHEREAS, the Black Monday ruling usurps the power not possessed by Chief Justice Earl Warren and his associates, and is an amendment and change in our Federal Constitution, not sanctioned by the vote of two-thirds of the members of the Federal Senate and House, nor consented to by the people of three-fourths of the sovereign States of the Union; and

WHEREAS, this Black Monday decision reads into the great charter of our liberties, language which it does not contain, and which those who wrote the Constitution and its amendments, never intended it to contain, which decision makes our Constitutions mean one thing yesterday, another today, and something else tomorrow; and

WREREAS, this Black Monday decision, obtained by the Negro lawyers of the Negro National Association for the Advancement of Colored People, whose leaders are left-wing radicals, did not and could not, cite a single, legal precedent in support of the ruling, but based the decision on the writings of a group of pseudo-sociologists, several of whom had been declared by the United States Department of Justice to be subversives and one of whom, Gunnar Myrdal, wrote in the book the Supreme Court cites with approval, the American Dilemma, that the Federal Constitutional Convention of 1787 was "nearly a plot against the common people" and further that the United States Constitution is today "impractical and ill-suited to modern conditions;" and

WHEREAS, the Chief Justice and the Associate Justices of the United States Supreme Court in their Black Monday decision, consciously and intentionally intended to bring about, without consent of the people of the States, a change in the structure of our American society, and

WHEREAS, the Black Monday decision is a gross invasion of the rights of the States, ignoring the provisions of the 10th Amendment to the United States Constitution, an amendment without which the adoption of the Constitution could not have been had, and which provides that:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or the people."

WHEREAS, the Southern States, acting on former Supreme Court rulings over a period of eighty-six years, and out of a sense of fairness to both races, have poured multiplied millions of their State tax dollars, 90 percent of which is collected from members of the White Race, into programs of equalization to bring Negro schools to a level of equality with the White schools; and

WHEREAS, the Black Monday decision of the Supreme Court threatens to undermine the ancient foundation of our form of Government and to destroy forever the purity of the race which has made us a great people, and to whom all recorded history belongs; now, therefore, be it

RESOLVED by the Senate of the State of Alabama, the House of Representatives concurring, in session on the Third Anniversary of the United States Supreme Court's infamous Black Monday decision, a day when the justices of the Court took off their judicial robes and put on the caps and gowns of sociology professors,

1) That we condemn said Black Monday decision as an unwarranted invasion of the Rights of the States; and

2) That we denounce it as a grave threat to the rights of our country, and to the peace and happiness of our people; and

3) That we pledge ourselves and our people, without interruption or abatement, resistance, by all lawful means, to this odious Supreme Court judgment which strikes down all local, self-government in America and tears the heart out of the United States Constitution; and

4) That copies of this resolution be mailed by the Secretary to the Chief Justice and each Associate Justice of the United States Supreme Court.

Which was read, and on motion of Mr. Calvin, was referred to the Standing Committee on Rules.

MOTION TO RECESS

At 11:07 A. M., on motion of Mr. Engelhardt, the Senate took a recess for fifteen minutes.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

NOTICE TO AMEND RULES

Mr. Calvin offered the following Notice in writing to amend Rule 31, to-wit:

"The Senate is hereby given notice in writing that on the next legislative day the following amendment to Rule 31 of the Rules of the Senate will be offered:

To add at the end of said Rule the following:

"on all executive nominations and appointments the committee on rules shall call a public hearing and said committee shall not report said nominations or appointments to the Senate earlier than the next legislative day following receipt of the same by the Senate."

Calvin"

Which was read and ordered spread upon the Journal.

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 14. Relative to appointing a legislative committee to study the development in the field of nuclear energy and to report its findings back to the Legislature.

On motion of Mr. Boutwell, further consideration of the Resolution was postponed until the next Legislative Day

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 16. Condemning and denouncing the May 17, 1954, "Black Monday" Decision of the United States Supreme Court, and pledging resistance by all lawful means.

And the Resolution, S. J. R. 16, was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 13. Relative to adjournment of the two Houses to meet again on Tuesday, May 21st, 1957, at 10:30 o'clock A. M.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Managers of the Partlow State School for Mental Deficients.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

MAY 17, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Section 194, Title 45, Code of Alabama 1940, I am submitting to you for your consideration the names of the Board of Managers of the Partlow State School for Mental Deficients, elected since the preceding meeting of the Senate, as certified to me by Dr. J. S. Tarwater, Superintendent of the Alabama State Hospitals:

1. Mrs. James Fitts Hill, Montgomery, Alabama, elected November 4, 1955, for a term of seven (7) years beginning January 1, 1956, to succeed herself, previous term expiring December 31, 1955.

2. Mrs. Mary Emily Searcy, Tuscaloosa, Alabama, elected October 26, 1956, for a term of seven (7) years beginning January 1, 1957, to succeed herself, previous term expiring December 31, 1956.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the following as members of the Board of Managers, Alabama State Hospital, Partlow State School, which certifications of election are set out in the foregoing Message from His Excellency, the Governor, to-wit:

Mrs. James Fitts Hill, Montgomery, Alabama, for the term expiring January, 1963.

Mrs. Mary Emily Searcy, Tuscaloosa, Alabama, for the term expiring January, 1964.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

MAY 17, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Colonel THOMAS C. SMITH, JR., as Brigadier General, Alabama Air National Guard.

Respectfully submitted,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Newton, the Rules were suspended and the Senate confirmed the appointment of Colonel Thomas C. Smith, Jr., as Brigadier General, Alabama Air National Guard, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the Alabama State Hospitals.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

MAY 17, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

Under the provisions of Section 194, Title 45, Code of Alabama 1940, I am submitting to you for your consideration the names of the Trustees of the Alabama State Hospitals which have been elected since the preceding meeting of the Senate, as certified to me by Dr. J. S. Tarwater, Superintendent:

1. Dr. John L. Branch—Montgomery, Alabama, elected November 3, 1955, for a term of seven (7) years beginning January 1, 1956, to succeed himself, previous term expiring December 31, 1955.
2. Dr. John M. Gallalee, Tuscaloosa, Alabama, elected July 26, 1956, to fill the vacancy caused by the death of Mr. Gordon D. Palmer, said term to expire December 31, 1957.
3. Dr. Grady O. Segrest, Mobile, Alabama, elected October 25, 1956, for a term of seven (7) years beginning January 1, 1957, to succeed himself, previous term expiring December 31, 1956.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the following as members of the Board of Trustees, Alabama State Hospitals, which certifications of election are set out in the foregoing Message from His Excellency, the Governor, to wit:

Dr. John L. Branch, Montgomery, Alabama, for the term expiring January, 1963.

Dr. John N. Gallalee, Tuscaloosa, Alabama, for the term expiring December, 1957.

Dr. Grady O. Segrest, Mobile, Alabama, for the term expiring January, 1964.

BILLS ON THIRD READING

The Bill:

S. 98. Relating to Cullman County; providing that the court of county commissioners, board of revenue, or like county governing body of Cullman County shall be solely responsible for the construction, repair, and maintenance of the county roads and bridges of Cullman County, and relieving the State Highway Department of certain duties in regard thereto; authorizing, directing, and requiring the county governing body to divide the county, or to cause the county to be divided, into four districts, and to appoint a road and bridge supervisor for each such district and fix his compensation; providing for the transfer by the State Highway Department to the county governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding financial obligations incurred in the construction, repair and maintenance of county roads and bridges in Cullman County; providing that the provisions of this Act shall become operative only upon a majority vote of the qualified electors of the county favoring the adoption of the provisions of this Act in an election held pursuant hereto; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Allen	Eddins	Lamberth	Robison
Boutwell	Engelhardt	Moses	Shelton
Bradford	Grisham	Newton	Van Antwerp
Davis (Lowndes)	Hall	Reeves	Vann
Davis (Pickens)	James		

—21

Nays:

—0

The Bill:

S. 106. To fix the compensation of certain officers of counties having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Roberts	Tate
Boutwell	Grisham	Robison	Van Antwerp
Calvin	James	Shelton	Vann
Cantrell	Metcalf	Skidmore	Yarbrough (<i>Autauga</i>)
Dyar	Newton	Smith	Yarbrough (<i>Randolph</i>)
Flowers	Reeves		—21

Nays:

—0

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the fourth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the fourth legislative day approved by the Senate.

ADJOURNMENT

At 11:55 A. M., on motion of Mr. Lamberth and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, May 21st, 1957, at 10:30 A. M.

FIFTH LEGISLATIVE DAY

TUESDAY, MAY 21, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend John K. McClesky, Minister, West End Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (<i>Lowndes</i>)	Hall	Reeves	Yarbrough (<i>Autauga</i>)
Davis (<i>Pickens</i>)	James	Roberts	Yarbrough (<i>Randolph</i>)

—35

JOURNAL

On motion of Mr. Flowers, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Dyar:

S. 184. To amend Title 8, Section 232 and Section 239, Code of Alabama 1940.

Committee on Forestry and Conservation.

By Mr. Eddins:

S. 185. To propose an amendment of Section 182 of the Constitution of Alabama, which disqualifies certain persons from registering or voting, by disqualifying illegitimate persons, the mothers and fathers of illegitimate persons, and persons practicing concubinage.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Eddins:

S. 186. To amend Section 15 of Title 17, Code of Alabama (1940), which disqualifies certain persons from registering or voting, by disqualifying illegitimate persons, the mothers and fathers of illegitimate persons, and persons practicing concubinage.

Committee on Privileges and Elections.

By Mr. Eddins:

S. 187. To outlaw common-law marriages and provide that persons cohabiting as man and wife in the status known as common-law marriage shall be guilty of concubinage.

Committee on Judiciary.

By Mr. Eddins:

S. 188. To amend Section 437 of Title 14, Code of Alabama (1940), which defines the offense of vagrancy.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Ashworth:

H. 21. Relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collec-

tion of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply for the passage and enactment at the 1957 Regular Session of the Legislature of Alabama of a Bill substantially as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Meaning of Terms Used in this Act. All words, terms and phrases that are defined in Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall, where used in this act, have the meanings respectively ascribed to them in said Articles 10 and 11, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words,

terms and phrases where used in this act shall have the following respective meanings except where the context clearly indicates a different meaning: "this state" means the State of Alabama; "Bibb County" means Bibb County in this State; "State Sales Tax statutes" means Article 10 of Chapter 20 of Title 51 of said Code, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in the said Article 10 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein; "State Sales Tax" means the tax imposed by the State Sales Tax statutes; "State Use Tax statutes" means Article 11 of Chapter 20 of Title 51 of said Code, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in the said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein; "State Use Tax" means the tax imposed by the State Use Tax statutes; "registered seller" means a person registered with the State Department of Revenue pursuant to Section 790 of Title 51 of said Code, as heretofore amended; "month" means a calendar month; "quarterly period" means the period of three months ending on the last day of each March, June, September and December; and "fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. Levy of License Tax Measured by Gross Sales or Gross Receipts. Effective on the first day of the month succeeding the month during which this act becomes law, there is hereby levied in Bibb County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1%) of the gross receipts of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business;

(b) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within this State, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission

fee is charged, including public bathing places, public dance halls of every kind and description within this State, an amount equal to one percent (1%) of the gross receipts of any such business;

(c) Upon every person, firm, or corporation engaged or continuing, within Bibb County, in the business of selling any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one percent ($\frac{1}{3}$ of 1%) of the gross proceeds of the sale of said automotive vehicle, or truck trailer and semi-trailer; and

(d) Upon every person, firm or corporation engaged or continuing, within Bibb County, in the business of selling any used automotive vehicle or truck trailer and semi-trailer, where such vehicles are bought for the purpose of resale, an amount equal to one-third of one percent ($\frac{1}{3}$ of 1%) of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer; provided, however, that this subsection shall not apply to the sale of any used automotive vehicle or truck trailer or semi-trailer where it was acquired by the retailer as part of the consideration for the sale, trade, or exchange, in this State of any new or used motor vehicle, truck trailer or semi-trailer;

provided, that there are exempted from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the State Sales Tax statutes from computation of the amount of the State Sales Tax.

Section 3. Levy of Excise Tax on Use, Storage and Consumption of Tangible Personalty. An excise tax is hereby imposed on

(a) The storage, use or other consumption in Bibb County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this act shall become law, for storage, use or other consumption in Bibb County, at the rate of one percent (1%) of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Bibb County or in this State, except as provided in subsection (b) of this section: and

(b) The storage, use, or other consumption in Bibb County of any new or used automotive vehicle, truck trailer or semi-trailer purchased at retail on or after the first day of the month next succeeding the month during which this act becomes law for storage, use or other consumption in Bibb County, at the rate of one-third of one percent ($\frac{1}{3}$ of 1%) of the sales price of such automotive vehicle, truck trailer or semi-trailer; provided, however, that this subsection shall not apply to the storage, use or other consumption in Bibb County of any used automotive vehicle, truck trailer or semi-trailer purchased at retail in this state if it was acquired by the retailer as part of the consideration for the sale, trade or exchange in this State of any new or used motor vehicle, truck trailer or semi-trailer.

provided, however, that there are exempted from the provisions of this section and the tax imposed in this section the storage, use or other consumption of property the storage, use or other consumption of which are presently exempted under the State Use Tax statutes from the State Use Tax. Subject to the exemptions provided for in the preceding sentence, every person storing, using or otherwise consuming in Bibb County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the said tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given, pursuant to Section 5 of this act, to the purchaser of any property to be used, stored or consumed in Bibb County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 4. Due Dates and Payment of, and Reports Respecting, the Taxes herein levied. The taxes levied in Section 2 of this act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 3 of this act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which the storage, use or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the State Sales Tax and the State Use Tax. On or prior to the due dates of the taxes herein levied each person subject to said taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2 hereof to be used as a measurement of the tax levied in said Section 2, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 3 hereof, the total sales price of all property, the use, storage or other consumption of which became subject to the tax imposed by said Section 3 during the then preceding quarterly period; provided, however, that said reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the State Department of Revenue may require. Any person subject to the taxes levied in Section 2 hereof may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the governing body of Bibb County, or its designated agent, at reasonable times during business hours.

Section 5. Collection, Payment and Report by Registered Sellers of Tax Levied in Section 3 hereof. Every registered seller making sales of tangible personal property for storage, use or other consumption in Bibb County (which storage, use or other consumption is not herein exempted from the tax imposed in Section 3 hereof) shall at the time of making such sales or, if the storage, use or other consumption of such tangible personal property in Bibb County is not then taxable under this act, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by Section 2 of this act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 4 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department, showing the total sales price of the tangible personal property sold by such registered seller, the storage, use or other consumption of which became subject to the tax imposed by Section 3 of this act during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period covered by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage or other consumption of tangible

personal property in Bibb County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property, the storage, use or other consumption of which is subject to the tax imposed by Section 3 of this act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 4 hereof.

Section 6. Tax to be Passed on to Purchaser, User or Consumer. Each person engaging or continuing within Bibb County in a business subject to the taxes levied in Section 2 of this act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 5 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2 to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 3 of this act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 7. Enforcement and Collection of Taxes herein Levied; Taxes Constitute a Lien on Property of Persons from whom Due. The taxes imposed by this act shall constitute a debt due Bibb County and may be collected by civil suit, in addition to all other methods provided by law and in this act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of liens for license taxes due this State shall apply to the collection of the taxes herein levied, and the State Department of Revenue, for the use and benefit of Bibb County shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this State or the department has for collection of the State Sales Tax and the State Use Tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this act, and to otherwise enforce the provisions of this act, including any litigation involving this act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Bibb County.

Section 8. Adoption by Reference of State Sales Tax Statutes and State Use Tax Statutes, where Applicable. All provisions of the State Sales Tax statutes with respect to payment, assessment and collection of the State Sales Tax, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Sales Tax statutes, the promulgation of rules and regulations with respect to the State Sales Tax, and the administration and enforcement of the State Sales Tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2 hereof, shall apply to the tax levied in the said Section 2; and all provisions of the State Use Tax statutes with respect to payment, assessment and col-

lection of the State Use Tax, making quarterly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the State Use Tax statutes, the promulgation of rules and regulations with respect to the State Use Tax, and the administration and enforcement of the State Use Tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 3 hereof, shall apply to the tax levied in the said Section 3. The State Commissioner of Revenue and the State Department of Revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Sections 2 and 3 hereof that are imposed on the commissioner and the department, respectively, by the State Sales Tax statutes and the State Use Tax statutes. All provisions of the State Sales Tax statutes and the State Use Tax statutes that are made applicable in this act to the taxes herein levied and to the administration of this act are hereby incorporated herein by reference and made a part hereof as is fully set forth herein.

Section 9. Discounts allowed Retailers and Registered Sellers. Each person subject to the license tax provided for in Section 2 hereof shall be allowed and may retain, out of the taxes levied by said Section 2 and payable by such retailer, a discount equal to two percent (2%) thereof. Each registered seller shall be allowed and may retain, out of the taxes herein required to be collected by such registered seller, a discount equal to three percent (3%) thereof.

Section 10. Disposition of Revenues from Taxes herein Levied. The State Department of Revenue shall make an annual charge to Bibb County for collecting the taxes herein levied, such charge for each fiscal year to be an amount bearing the same relation, and standing in the same ratio, to the total amount of the taxes collected hereunder that the total cost during the same fiscal year of collecting the State Sales Tax and the State Use Tax bears to the total amount of the State Sales Tax and the State Use Tax collected during that fiscal year; and the said annual charge for each fiscal year shall be retained by the State Department of Revenue out of the taxes collected hereunder during September of the same fiscal year. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this act, as such taxes are received by the Commissioner; and on or before the first day of each successive month (commencing with the month following the month in which the Commissioner makes the first collections hereunder), the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Bibb County during the month immediately preceding the making of such certificate; provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Bibb County during each September, the Commissioner shall deduct from the taxes collected in said month the aforesaid annual charge of the department for that fiscal year. It shall be the duty of the Comptroller each month to issue his warrants on the State Treasurer, in the amount so certified by the Commissioner of Revenue as having been collected under this act and paid during the then preceding month into the state treasury, and payable as follows: (a) sixty percent (60%) of the amount so certified by the Commissioner of Revenue as having been collected under this act and paid into the state treasury during the then preceding month and shall be paid, and is hereby appropriated, to Bibb County Hospital Board, a public corporation organized in Bibb County under Act No. 46 adopted at the 1949 Regular Session of the Legislature of this State, and (b) the remaining forty percent (40%) of the amount so certified by the Commissioner is hereby appropriated for the school purposes herein-after specified and shall be paid to the custodian of the public school funds of Bibb County. The sixty percent (60%) of the revenues from the taxes herein levied, which is required by this section to be paid to

Bibb County Hospital Board shall be used for the following hospital and health purposes: (1) for payment of the principal of and interest on any securities that may be issued by Bibb County Hospital Board under any general law for the purpose of constructing and equipping a county hospital and a county health clinic in Bibb County, including any establishment of reserves for such payment or for redemption of any such securities, including payment of any premium in connection with any such redemption and (2) any surplus of said sixty percent (60%) received by said Bibb County Hospital Board during any fiscal year, in excess of any amount that may be required for that fiscal year for the purposes specified in the preceding clause (1), may be used for constructing, equipping, enlarging, maintaining and operating said hospital and said health clinic. The forty percent (40%) of the said revenues from the taxes herein levied, required under this section to be paid to the custodian of county school funds in Bibb County, shall be used for constructing, rebuilding, enlarging, equipping and repairing public school buildings in Bibb County.

Section 11. Termination of Levy. The levy of taxes herein made shall terminate at midnight on December 31, 1967. All of the provisions of this act pertaining to payment and collection of the taxes herein levied, the making of reports and maintenance of records with respect thereto, and in general the enforcement of this act shall thereafter continue to be effective with respect to the taxes herein levied that shall have accrued hereunder prior to January 1, 1968.

Section 12. Severability Clause. In the event any section, sentence, clause or portion of this act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this act, which shall continue effective.

Section 13. Effective Date of Act. This act shall become effective on the first day of the month succeeding the month during which this act shall be approved by the Governor or shall otherwise become law. April 11-18-25-May 2, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, April 18, April 25, and May 2, all in the year 1957.

J. W. OAKLEY,
Publisher.

Sworn to and subscribed before me May 4, 1957.

MARVIN HUETT,
Notary Public.

Also:

By Messrs. Killough and Taylor:

H. 25. To amend Act No. 183, H. 558, approved June 23, 1945 (Local Acts of Alabama, 1945, page 99) which divided Butler County into four

commissioner's districts and provided for the election, tenure of office and compensation of commissioners for each of such districts.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 183, H. 558, approved June 23, 1945 (Local Acts of Alabama, 1945, page 99) which divided Butler County into four commissioner's districts and provided for the election, tenure of office and compensation of commissioners for each of such districts.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 183, H. 558, approved June 23, 1945 (Local Acts of Alabama, 1945, page 99) entitled "An Act to provide for dividing Butler County into four commissioner districts; to provide for the election of a commissioner for each of such districts; to provide for the tenure of office of such commissioners and to provide the compensation of the commissioners so elected," is hereby amended to read as follows:

"Section 2. District No. 1 shall be composed of the territory now or hereafter embraced in Election Precincts 2, 3, 15, 17, and 19; District No. 2 shall be composed of the territory now or hereafter embraced in Election Precincts 4, 5, 6, 7, 12, and that part of 18 that lies East of U. S. Highway No. 31; District No. 3 shall be composed of the territory now or hereafter embraced in Election Precincts 8, 9, 10, 11, 16, and that part of 18 that lies West of U. S. Highway No. 31; and District No. 4 shall be composed of the territory now or hereafter embraced in Election Precincts 1, 13, and 14."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

28c4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. G. Stanley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and publisher of the GREENVILLE ADVOCATE a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, April 18, April 25th, and May 2nd, all in the year 1957.

J. G. STANLEY.

Sworn to and subscribed before me May 8, 1957.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Pirkle:

H. 45. To apply in Cleburne County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CLEBURNE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply in Cleburne County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Cleburne County for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one inch or more; provided, that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Cleburne County, and shall pay a county privilege license tax of one dollar for each basket he proposes to fish, not exceeding four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish; provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured, or killed in a basket or net, including wire mesh baskets. Any person who violates this section shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law; in addition to such scribed by law; in addition to such case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

33-21-4tc(cc)

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred Eiland, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 21, March 28, April 4, and April 11, all in the year 1957.

FRED EILAND.

Sworn to and subscribed before me April 25, 1957.

LEVIS BOYD.
Notary Public.

Also:

By Mr. Huddleston:

H. 49. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Colbert County to levy and collect a special school tax of fifty cents on each one hundred dollars worth of taxable property.

Also:

By Mr. Huddleston:

H. 51. To permit any bank or branch bank located in Colbert County to establish in the municipality of Cherokee, Alabama, one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices, or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(4065:2/6/57)

A BILL TO BE ENTITLED AN ACT

To permit any bank or branch bank located in Colbert County to establish in the municipality of Cherokee, Alabama, one branch bank,

branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices, or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank or branch bank located in Colbert County may establish, maintain, and operate in or at Cherokee in said county one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, additional offices, or branch places of business authorized by law; provided that such bank or branch bank, before the establishment of the additional branch, agency, office, or place of business authorized by this Act, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. If any provision of this Act, or the application thereof to any person or circumstances is held invalid or inoperative, the remainder of the Act and the application thereof to any other person or circumstance shall not be affected thereby.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mar. 8-15-22-29c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared L. H. Baker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 8th, Mar. 15th, Mar. 22nd, and March 29th, all in the year 1957.

L. H. BAKER.

Sworn to and subscribed before me May 7th, 1957.

SUE H. NATHAN.
Notary Public.

Also:

By Mr. Franklin:

H. 52. Relating to counties having a population of less than eleven thousand nine hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; to provide for the salary of the county superintendent of Education of such counties.

Also:

By Mr. Franklin:

H. 53. To permit any bank in Coosa County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE
A BILL
TO BE ENTITLED
AN ACT

To permit any bank in Coosa County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank situated in Coosa County, Alabama, may establish, maintain, and operate within the limits of Coosa County one or more branches, or additional offices or places of business for the receipt of deposits, payment of checks, lending of money, and the doing of a general banking business, provided that such bank, before the establishment of any such branch, or additional office or place of business, shall first secure the written consent thereto of the Superintendent of Banks of the State of Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

A-4-11-18-25-C

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Enterprise-Chronicle, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, 1957, April 11, April 18, and April 25, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me April 25, 1957.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires June 14, 1969.

Also:

By Mr. Davis:

H. 57. To propose an amendment to the Constitution of Alabama relative to the costs and charges of courts and the fees, commissions, per-

centages, allowances, and compensation of certain officers of Cullman County.

Also:

By Mr. Stembridge:

H. 76. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that there will be introduced for passage at the regular session of the Legislature of Alabama convening May 7, 1957, a local bill providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

ACT NO.

To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing

for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established a Board of Revenue and Control for Houston County, Alabama, effective on and after the passage and approval of this bill or act and it becomes a law. The Board of Revenue and Control shall be composed of the Judge of Probate who shall serve as ex officio Chairman, but who shall have no power or authority to vote upon any questions or business before the Board in regular, special or called sessions thereof, until there shall first be a tie vote registered among the District Commissioners present and voting, and five (5) District Commissioners, four (4) of whom are presently serving as Commissioners of Districts one (1) to four (4), respectively, of the Board of Revenue, and who shall hold office and represent the respective districts assigned to them by provisions of Section 2 of this act, as District Commissioners of the Board of Revenue and Control until their successors are elected and qualified. Each of said members of the Board of Revenue and Control shall receive as compensation the sum of \$1,200.00 annually, except the Judge of Probate who as ex officio Chairman shall not receive additional compensation, and shall be paid in equal monthly installments out of the general funds of the county on warrants drawn by the Judge of Probate.

Section 2. That Houston County, Alabama, is hereby divided into five (5) Board of Revenue and Control Districts, as follows: District Number 1 shall embrace and be composed of Beats Number 1, 2, and 4 and shall be represented by the incumbent commissioner, H. A. Hollis; District Number 2 shall embrace and be composed of Beats Number 5, 6, 7, and 11 and shall be represented by the incumbent Commissioner, F. C. Jackson; District Number 3 shall embrace and be composed of Beats Number 10, 12, and 14 and shall be represented by the incumbent Commissioner, W. Harvey Hicks; District Number 4 shall embrace and be composed of Beats Number 8, 9, and 13 and shall be represented by the incumbent Commissioner, G. D. Raley; and District Number 5 shall embrace and be composed of Beat Number 3. The Governor is authorized and empowered to appoint a member of the Board of Revenue and Control, as hereby created, effective upon the bill or act becoming a law, to serve as District Commissioner of District Number 5, and who shall serve until his successor is elected at the General Election to be held on the first Tuesday after the first Monday in November, 1958, and becomes qualified, and who shall receive as compensation the sum of \$1,200.00 per annum payable in the same manner and from the same funds of the County with which the other Commissioners are paid. One member of said Board of Revenue and Control hereby created shall hereafter be nominated and elected by the voters of each of the above-numbered districts, and he shall have been a resident of and a qualified elector in the District for a period of two years time immediately preceeding the General Election to be held on the first Tuesday after the first Monday in November, 1958, and shall continue to reside therein during his continuance in office; and the members elected shall assume the duties of their office on the first Monday after the second Tuesday in January, 1959, following their election, and shall hold office for a period of four (4) years and until their successors are elected and qualified. Candidates for

membership on the Board of Revenue and Control for Houston County, Alabama, shall be nominated by the voters of his respective district in the Primary next preceeding the General Election at which time they shall be elected by the voters of his respective district.

Section 3: That the five (5) District Commissioners hereinabove provided for shall, immediately upon assuming office as Commissioners of the Board of Revenue and Control of Houston County, Alabama, elect one from its membership as Vice-Chairman of the Board to act, in the absence of the Judge of Probate as ex officio Chairman, as presiding officer of the said Board of Revenue and Control and who shall, while acting in the official capacity of Vice-Chairman of said Board, have and exercise all of the powers and authority vested by law in the Judge of Probate as ex officio Chairman of the said Board; and the District Commissioner so elected Vice-Chairman shall serve as such until the end of his term of office and shall not receive additional compensation for this additional duty. The presence of three District Commissioners, or of two District Commissioners and the District Commissioner elected to serve as Vice-Chairman of the Board shall constitute a quorum for the transaction of official business at all regular, special or called meetings held.

Section 4. That in case of a vacancy on the Board of Revenue and Control, such vacancy shall be filled by appointment made by the Governor of Alabama, and the person appointed shall hold office for the remainder of the term and until his successor has qualified.

Section 5. That each District Commissioner of the Board of Revenue and Control shall, before entering upon his official duties, be required to furnish a bond, payable to the State of Alabama in the sum of \$5,000.00 for the faithful performance of his duties; and the Judge of Probate, as ex officio Chairman of said Board shall likewise furnish a bond in the same sum, and all such bonds shall be approved by the Judge of the Circuit Court of the Twentieth Judicial Circuit of Alabama.

Section 6. That the Board of Revenue and Control shall appoint a County Engineer who shall be qualified to practice engineering and land surveying in the State of Alabama, and whose salary shall be fixed by the Board at an amount not to exceed \$7,500.00 per annum payable in monthly installments; and who shall serve at the pleasure of the Board; and provided further that the County Engineer, with the approval of the Board of Revenue and Control, shall employ and fix the compensation of attorneys, all agents, assistants, supervisors, clerical workers, overseers, workmen, and laborers required for the construction, maintenance and repairs of all buildings, roads and bridges within the County, and shall, with the counsel, assistance and approval of said Board, purchase all necessary road machinery, material, teams, tools, supplies, and equipment as hereinafter provided in Section 8 used in and about the work on the County buildings, roads and bridges.

Section 7. That there is hereby conferred upon said Board of Revenue and Control of Houston County, Alabama, and the members thereof, all of the general authority, power and duties now provided or which may hereafter be provided to Boards of Revenue or Commissioners Courts, under the general laws of the State of Alabama, and amendments thereto not inconsistent with the provisions of this Act, and for the acts of said Board equal, several and joint liability are hereby fixed for the members thereof. And in addition to the above duties and powers set out, the members of the Board of Revenue and Control shall in addition to the regular monthly meeting of the Board to be held on the second Monday of each month, they shall be required and it will be their additional duty to hold a meeting of the Board of Revenue and Control on the fourth Monday in each month, and the District Commissioners shall be

responsible at all times for making proper inspections of roads and bridges, and other County property lying within his respective district.

Section 8. That no purchase or contract to purchase any road or bridge material, teams, tools, machinery, supplies or equipment shall be made, or any contract for the construction, maintenance or repair or any road let, either by the Board of Revenue and Control or the County Engineer, if the amount involved or the value thereof exceed \$25.00 except to the lowest bidder, and where the amount of purchase or contract to be let, is in excess of \$25.00 and not greater than \$200.00 the Board of Revenue and Control shall have a notice posted on the bulletin board in front of the Courthouse of Houston County, Alabama five (5) days prior to the meeting at which said purchase is to be made, and if the amount of purchase to be made or contract to be let be in excess of \$200.00 notice must be given that bids will be received for such purchase or contract by advertising same for a period of twenty (20) days, by publication for once a week for two (2) consecutive weeks in a newspaper published in Houston County, Alabama. And, in addition to the above notice or notices, if amount be in excess of \$200.00 the Chairman of said Board of Revenue and Control shall give written notice by registered mail with return receipt requested of such contemplated purchase or purchases to at least three (3) merchants or dealers in the goods or materials to be purchased, and where notice of any contract to let, to at least three (3) contractors engaged in the type of work contemplated. Such notice or notices, together with return receipts, must be recorded in and become a part of the minutes of the Board of Revenue and Control of Houston County, Alabama. Provided, however, in case of emergency, for the purchase of machinery parts, no advertisement shall be required as above stipulated. Any and all contracts made and entered into or purchases made by the Board of Revenue and Control, except for purchases of emergency parts, in violation of terms of this section shall be null and void, and it shall be unlawful for the Probate Judge to issue warrants in payment of same. The Probate Judge must forthwith issue all warrants in payment of all lawful contracts as herein provided.

Section 9. That the compensation for the District Commissioners elected in a manner as hereinabove provided for in the General Election to be held on the first Tuesday after the first Monday in November, 1958, and who will assume the duties of their office on the first Monday after the second Tuesday in January, 1959, shall be \$1,800.00 each per annum payable in equal monthly installments out of the general funds of the County on warrants drawn by the Judge of Probate. Provided, however, that the Judge of Probate, as ex officio Chairman of the Board of Revenue and Control shall not receive any additional compensation for his duties in this capacity.

Section 10. That all laws, both general, special or local, and parts of laws in conflict with the provisions of this Act are hereby expressly repealed, and especially repealing House Local Bill No. 378, approved July 23, 1931, by the Governor of Alabama, and House Local Bill No. 533, approved June 27, 1935, by the Governor of Alabama, and House Local Bill No. 1013, approved September 13, 1935, by the Governor of Alabama, and House Local Bill No. 1014, approved September 13, 1935, by the Governor of Alabama, and Senate Local Bill No. 294 set out on pages 133, 134, 135, and 136 in Local Acts of Alabama in the year 1939, and which became a law under Section 125 of the Constitution, and House Local Bill No. 599, pages 931, 932, 933 and 934, General and Local Acts of Alabama 1949, approved September 19, 1949 by the Governor of Alabama.

Section 11. That if any section, provision, clause or portion of this Act shall be declared, by court of competent jurisdiction, to be invalid or unconstitutional, same shall not be held to effect any other section, provision, clause or portion of this Act, but same shall remain in full force and effect.

Section 12. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

April 8, 15, 22, 29, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Dothan Eagle, Inc., a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 8th, 15th, 22nd, and 29th, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me May 6, 1957.

B. WALLACE MILLER,
Notary Public.

Also:

By Mr. Stembridge:

H. 77. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The tax assessor of Houston County is hereby authorized and empowered to appoint one chief clerk whose salary shall not exceed twenty-four hundred dollars (\$2400) per annum during the first year of his employment, and one clerk whose salary shall not exceed eighteen hundred dollars (\$1800) per annum during the first year of employment. Each of these clerks shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of his basic salary; and thereafter each shall be entitled to an additional increase in an amount equal to ten percent of such basic salary after each additional five-year period of employment. Such increases shall be subject to the approval of the tax assessor. The tax assessor is also authorized and empowered to appoint extra clerks and

assistants as he deems necessary, but their combined salaries shall not exceed the sum of fifteen hundred dollars (\$1500) per annum.

Section 2. The tax collector of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be a salary of twenty-four hundred dollars (\$2400) per annum during the first year of his employment, and he may appoint such additional clerks and assistants as he may deem necessary, but their combined salaries shall not exceed the sum of sixteen hundred dollars (\$1600) per annum. The chief clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary; thereafter he shall be entitled to additional increases in amounts equal to ten percent of the basic salary after each additional five-year period of employment. Such increases shall be subject to the approval of the tax collector.

Section 3. The judge of probate of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be a salary not exceeding thirty-six hundred dollars (\$3600) during the first year of his employment; five clerks, each of whom shall be entitled to an annual salary not exceeding twenty-four hundred dollars (\$2400) during the first year of his employment; and such extra and additional clerks and deputies as may be necessary, but their combined salaries shall not exceed the sum of twenty-four hundred dollars (\$2400) per annum. The chief clerk and the five clerks mentioned herein shall each be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary; and thereafter each shall be entitled to additional increases after each additional five-year period of employment in amounts equal to ten percent of the basic salary. Such increases shall be subject to the approval of the judge of probate.

Section 4. The clerk of the circuit court of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary of not more than twenty-four hundred dollars during the first year of his employment, and he may appoint such additional clerks and assistants as may be necessary, but their combined salaries shall not exceed the sum of twelve hundred dollars (\$1200) per annum. The chief clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary; and thereafter he shall be entitled to increases in amounts equal to ten percent of the basic salary after each additional five-year period of employment. Such increases shall be subject to the approval of the circuit clerk.

Section 5. The sheriff of Houston County is hereby authorized and empowered to appoint one chief deputy, whose salary shall be forty-two hundred (\$4200) dollars per annum, five additional deputies, each of whom shall be entitled to a salary of thirty-six hundred dollars (\$3600) per annum, one bookkeeper deputy, whose salary shall be thirty-six hundred dollars (\$3600) per annum, one clerk, whose salary shall be thirty-six hundred dollars (\$3600) per annum, and three deputies who shall also serve as jailors and each of whom shall be entitled to a salary of three thousand dollars (\$3000) per annum.

Section 6. The register of the circuit court of Houston County is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary not exceeding twenty-four hundred dollars (\$2400) during the first year of such clerk's employment. Subject to the approval of the register, such clerk shall be entitled to an increase in salary after each year of employment through the first ten years of such employment in an amount equal to five percent of the basic salary, and thereafter such clerk shall be entitled to increases in

amounts equal to ten percent of the basic salary after each additional five-year period of employment.

Section 7. The deputies, clerks and assistants provided for in this Act shall serve at the pleasure of the appointing officers. Their salaries shall be paid in equal monthly installments from the general fund of Houston County upon separate warrants drawn in the manner provided for the payment of other employees of the county.

Section 8. The salaries or compensation of all deputies, clerks, or assistants who are in the employ of the county officers named in this Act on the effective date of this enactment shall be adjusted immediately upon the passage of this Act; and each of such officers may give each of his clerks, deputies, or assistants full credit for the number of years of employment each has had.

Section 9. The court of county commissioners, board of revenue, or like governing body of Houston County may provide such additional deputies, clerks, and assistants as the officers herein named may require for the efficient conduct of their offices, and their compensation shall be fixed by said court of county commissioners, board of revenue, or other county governing body.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Rep. Bob Stembridge
Richmond M. Flowers
State Senator
35th Senatorial District

April 9, 16, 23, 30, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Dothan Eagle, a newspaper of general circulation published in Dothan, Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, April 16, April 23, and April 30, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me May 4, 1957.

B. WALLACE MILLER,
Notary Public.

Also:

By Mr. Stembridge:

H. 78. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Section 1. That the salary of the Deputy Solicitor for Houston County, Alabama, be, and the same is hereby fixed at the sum of thirty-six hundred dollars, per year, payable out of the County Treasury of said County, in monthly installments of three hundred dollars each, as provided by law for payment of salaries out of the General Fund of said County.

Section 2. That all laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. That this Act shall be effective immediately upon its passage and approval by the Governor.

Rep. Bob Stembridge,
Richmond M. Flowers,
State Senator,
35th Senatorial District.

April 9, 16, 23, 30, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Dothan Eagle, a newspaper of general circulation published in Dothan, Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, 1957, April 16, 1957, April 23, 1957, and April 30, 1957, all in the years 1957.

J. T. LANE, JR.

Sworn to and subscribed before me May 4, 1957.

B. WALLACE MILLER,
Notary Public.

Also:

By Messrs. Haltom and Broadfoot:

H. 96. Proposing an amendment to the Constitution relative to Lauderdale County:

Also:

By Mr. Brown (Lamar):

H. 99. To prescribe the salary and the manner of payment thereof of certain deputies sheriff for Lamar County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE AND PROOF

STATE OF ALABAMA COUNTY OF LAMAR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To prescribe the salary and the manner of payment thereof of certain deputies sheriff for Lamar County.

Be It Enacted by the Legislature of Alabama:

Section 1. The annual salary of the chief deputy sheriff of Lamar County shall be not less than two thousand seven hundred dollars nor more than three thousand three hundred dollars, to be fixed by the court of county commissioners, board of revenue or other like governing body of the county, and payable in twelve equal monthly installments out of the general fund of said county as the salary of other county employees are paid.

Section 2. The annual salary of the additional deputy allowed the sheriff of Lamar County by Act No. 297, H. 331, approved July 27, 1951 (Acts of Alabama, 1951 page 593), shall be not less than two thousand one hundred dollars nor more than two thousand seven hundred dollars, to be fixed by the court of county commissioners board of revenue or other like governing body of the county, and payable in twelve equal monthly installments out of the general fund of the county as the salaries of other county employees are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J. A. Brown.
4-18 4tc

STATE OF ALABAMA LAMAR COUNTY

Before me a Notary Public in said County and State, personally appeared Jack Hankins who, being by me first duly sworn, deposes and

says that he is Publisher of The Lamar Democrat, which during the times herein mentioned was a newspaper of general circulation published in Lamar County, Alabama, and that the foregoing notice was published without cost to the State of Alabama in said newspaper in the issues thereof published on April 18, April 25, May 2, and May 9, in the year 1957.

JACK HANKINS.

Sworn to and subscribed before me this 9 day of May 1957.

ALTON B. HOLLIS,
Notary Public.

My commission expires 9-30-58

Also:

By Mr. Fite:

H. 107. To provide further for the development of Marion County, conferring on the governing body of said county additional powers and authority to provide for public schools and other county improvements.

Also:

By Mr. Fite:

H. 116. To create and establish the Marion County Superior Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time for sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the Marion County Court and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby givtn that a bill substantially as follows wil! be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish the Marion County Superior Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time for sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the Marion County Court and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in and for Marion County a court which shall be called the Marion County Superior Court.

Section 2. The court hereby established shall be a court of record and shall have and exercise the following jurisdiction, authority and powers:

(A) Exclusive jurisdiction of matters triable in the county court under general laws.

(B) Unlimited jurisdiction concurrent with the circuit court of such county in all civil and equity matters, including the power and authority to grant divorces, either limited or absolute, to award alimony and effect property settlements in connection with such divorces, and to determine the custody of children.

(C) To issue any and all special and extraordinary writs that the circuit courts or the judges thereof are authorized to issue.

(D) To settle disputes and controversies arising under the Workmen's Compensation Act, and in the administration of estates, the same as in the circuit court.

(E) All other powers and authority that are or that may hereafter be conferred upon the circuit courts or the judges thereof, including the power to punish for contempt, unless otherwise provided in this Act.

Section 3. Immediately after this Act becomes effective the Governor shall appoint a judge of the court who shall hold office until the first Monday after the second Tuesday in January 1963. At the general election in 1962, and every six years thereafter, a judge of the court shall be elected for a term of six years beginning on the first Monday after the second Tuesday in January next following his election. The judge of this court shall before entering upon the duties of the office take the oath prescribed by law to be taken by judges of the circuit courts in Alabama. The judge of the court shall be a qualified elector of the county not less than twenty-five years of age, and shall be learned in the law. He shall devote his time to the duties of his office, and shall be barred from the practice of law in any court during his term as judge of the court hereby established. He may be removed from office in the manner and for the causes now provided by law for the removal of circuit judges.

Section 4. The clerk of the circuit court of the county shall be by virtue of his office clerk of the Marion County Superior Court, and shall have the same powers and discharge the same duties as clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office, and shall be entitled to the same fees, commissions and emoluments as are now, or as may hereafter be allowed to circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts, except that in civil matters where suit is brought for one hundred dollars (\$100.00) or less, only the fees and commissions allowed by law to justices of the peace shall be collected. The register of the circuit court of Marion County shall by virtue of his office be the register of the Marion County Superior Court. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees and commissions as are now, or as may hereafter be allowed to the registers of circuit courts, which shall be collected as such fees and commissions are collected in circuit courts.

Section 5. The judge of the Marion County Superior Court shall receive a salary of five hundred dollars per month payable out of the county treasury.

Section 6. The county or deputy solicitor appointed or elected for the county shall represent the State in all criminal cases in said court.

Section 7. The Marion County Superior Court shall be held at the court house of the county, and shall be open at all times for the trans-

action of business. In case of sickness or disqualification of the judge of the court, the law applicable to the appointment and service of special judges in the circuit court shall apply. The judge of this court shall be subject to the same penalties for failure to attend upon the court as are circuit judges of this State. The judge of the court shall keep an office in the court house of the county, or at such other suitable place as may be provided by the governing body of the county. It shall be the duty of the governing body of the county to provide such office and supply the same with telephone service and office supplies. Such office furniture, furnishings, fixtures, law library, and equipment as may be necessary to enable the judge of said court efficiently to conduct the affairs of his office shall be provided by the State Department of Finance, the expense of which shall be paid from any available funds appropriated to pay the expenses of circuit courts, circuit judges, or solicitors, or appropriated to purchase equipment.

Section 8. The judge of the court may determine and fix the time of holding sessions of the court for the trial of all cases, civil, criminal and equity; provided that all cases shall be called for trial at least once every thirty days. However, this section shall not be construed to prevent the continuance of any case in said court, by agreement of counsel or the parties on good cause shown to the court, and when any cause is so continued to a specified time either for a cause shown to the court, or by agreement of the parties or counsel, it shall not be necessary to call said case until the expiration of the time to which it has been continued. And provided further, that the court shall have the right and power to call extraordinary sessions of said court whenever in the judgment of the court the same are necessary.

Section 9. All cases tried in the Marion County Superior Court shall be tried by the judge without a jury. The judge shall decide all questions of law and fact. Any party aggrieved by a decision in any civil case cognizable by justices of the peace may appeal at any time within five days after rendition of the judgment, to the circuit court, in the manner provided for appealing judgment rendered by justices of the peace. In any other civil case, if the defendant is entitled to a trial by jury under the Constitution, he may demand a jury trial by endorsement on the initial pleading filed, and thereupon the clerk of the court shall transfer the cause to the circuit court. Upon such transfer, the jurisdiction of the circuit court shall attach in said cause, and the jurisdiction of the Marion County Superior Court shall cease and terminate. The cause shall then stand regularly for trial in the circuit court. Unless a defendant demands a jury as herein provided, he shall be deemed to have waived a trial by jury.

Section 10. Appeals from judgments of the Marion County Superior Court cases may be taken directly to the Supreme Court or the Court of Appeals in the same manner and within the same time that appeals are now taken from judgments in such cases in the circuit courts of the State.

Section 11. Upon conviction in a criminal case, the defendant shall have the right of appeal to the circuit court of Marion County, on entering into bond, with sufficient surety, to appear at the term of the court to which the appeal is taken, and from term to term until discharged, the bond to be in such penalty as the judge of the court may prescribe, and to be approved by the judge or clerk of the court. If the defendant does not make the bond required, he shall remain in custody and may, within ten days after taking said appeal, demand a trial by jury in the circuit court; otherwise, said case shall be tried by the circuit court without a jury.

Section 12. All cases on the non-jury docket and all cases on the equity docket now or hereafter pending in the circuit court of Marion County may, by agreement of the parties thereto, be transferred from

the Circuit Court to the Marion County Superior Court. Likewise, all cases on the non-jury docket, and on the equity docket, hereafter pending in the Marion County Superior Court may, by agreement of the parties thereto, be transferred from the Marion County Superior Court to the circuit court of Marion County. In all cases, non-jury and equity, now or hereafter pending in the circuit court of Marion County, wherein a judgment by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the circuit court to the Marion County Superior Court for final judgment or decree on motion of the plaintiff or complainant. In all cases, non-jury and equity, now or hereafter pending in the Marion County Superior Court, wherein a judgment by default, nil dicit, or decree pro confesso has been rendered, the same may be transferred from the Marion County Superior Court to the circuit Court for final judgment or decree on motion of the plaintiff or complainant.

Section 13. The judge of the Marion County Superior Court shall have plenary power to adopt and enforce rules governing pleading, practice and procedure in the court, including the right to prescribe forms therefor. He may adapt to the needs of the court and incorporate into the rules of the court any or all rules relative to pleading, practice and procedures in the federal courts and the courts of other states, and such rules when adopted and promulgated shall have the force and effect of law, and shall supersede conflicting rules governing pleading, practice and procedure in other courts in the State. The rules of practice and procedure in the circuit courts of the State shall govern the pleadings, practice and procedure in the court hereby established, except as herein otherwise provided.

Section 14. The sheriff of the county shall in person or by deputy or deputies appointed by him, said appointment to be approved by the judge of said court, attend upon the court, preserve order, execute all writs of process and perform such other duties in all respects as in the circuit court of this State. For service of the processes of the court, the sheriff shall receive such compensation as he receives under the law of the State of Alabama, or any laws enacted in the future by the Legislature of Alabama, for the compensation of the sheriff for similar services in the circuit court, except as herein otherwise provided.

Section 15. The judge of the Marion County Superior Court shall adopt a seal for the law side of the court, which shall be kept in the custody and under the control of the clerk.

Section 16. The judge of the Marion County Superior Court shall adopt a seal for the equity side of the court, which shall be kept in the custody and under the control of the register.

Section 17. The judge of the court shall appoint a competent person capable of taking the proceedings of said court in shorthand as the full-time official reporter for the court. The court reporter shall be removable at the discretion of the judge. His duties shall be the same as those required by law of reporters for the circuit courts of the State; he shall receive the same rate of compensation for transcribing the testimony or other proceedings as is now provided for the circuit court reporter, and shall also receive fifty dollars a month and five dollars (\$5.00) for each half-day or fraction thereof he is engaged in taking testimony or other proceedings of the court, such salary and compensation shall be paid out of the county treasury.

Section 18. It shall be the duty of the clerk of the court to keep a record upon which shall be recorded all affidavits made before the judge or clerk of said court, or returnable by a justice of the peace or judge of an inferior court in the county to the court; and if any affidavit should be lost or destroyed, a certified copy of the record shall be used the same as the original affidavit.

Section 19. The Marion County Court is hereby abolished. The jurisdiction and authority formerly vested in said court is hereby transferred to and shall hereafter be exercised by the Marion County Superior Court. All cases pending in the Marion County Court when this Act becomes law shall immediately become pending upon the docket of the Marion County Superior Court as though originally brought in said court. All judgments heretofore rendered by the Marion County Court shall continue in force and effect and shall be enforced by the Marion County Superior Court as if they had been rendered by such court.

Section 20. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 21. All laws or parts of laws which conflict with this Act are repealed.

Section 22. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

RANKIN FITE.
4t 1-24ch

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on January 24th, January 31st, February 7th, and February 14th, all in the year 1957.

ROBERT E. BONHAM.

Sworn to and subscribed before me Feb. 15, 1957.

LEOTA MITCHELL,
Notary Public.

Also:

By Messrs. Pruitt and Harvey:

H. 151. For the relief of T. B. Jarman; authorizing the court of county commissioners, board of revenue, or like governing body of Sumter County to appropriate and pay from the general fund of the county the sum of five hundred dollars (\$500) to said Jarman as damages for an injury to his property.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

For the relief of T. B. Jarman; authorizing the court of county commissioners, board of revenue, or like governing body of Sumter County to appropriate and pay from the general fund of the county the sum of five hundred dollars (\$500) to said Jarman as damages for an injury to his property.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Sumter County is authorized and empowered to appropriate from the general fund of the county and pay to T. B. Jarman the sum of five hundred dollars (\$500) as damages for an injury done to the property of said Jarman on or about November 25, 1953, as a result of a collision between his truck and a truck owned by Sumter County, the county truck being then operated by an employee of Sumter County, at the intersection of Highway No. 39 and the county road that leads from Epes to Sumterville. The claim of said Jarman is a just, equitable, and moral obligation resting on Sumter County, although there is no legal liability imposed upon the county to pay the same, and the said Jarman has no recourse at law to recover damages.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

A 4/4tc

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF SUMTER**

Before me, the undersigned authority in and for said County in said State, this day personally appeared William W. Pittman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4th, April 11th, April 18th, and April 25th, all in the year 1957.

WILLIAM W. PITTMAN,
Editor-Publisher.

Sworn to and subscribed before me May 3rd, 1957.

R. T. MASSINGILL,
Notary Public.

My Commission Expires February 16, 1959.

Also:

By Messrs. Lackey, Nice, Perry, Kaul, Edwards (Jefferson), and Vacca:

H. 80. To Amend Section 151 of Chapter 8 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 206 of Acts of the 1943 Session of the Legislature, and as amended by Act No. 418 of the 1951 Regular Session of the Legislature.

Also:

By Messrs. Selman and Shumate:

H. 172. To provide for paid leaves of absence for certain employees of Walker County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF WALKER**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for paid leaves of absence for certain employees of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. Every employee of Walker County, or of any agency or department thereof, whose compensation is paid from the county treasury, and who has been in service for one year or longer, shall be entitled to a one-week vacation leave of absence, and five days sick leave, with pay, during each year. Such leave shall not accumulate from year to year, and all employees who qualify for leave shall be entitled to the same amount of leave each year regardless of the length of their prior service.

Section 2. No leave of absence from duty with pay shall be allowed under this Act without approval by the employee's immediate superior or supervisor.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**T. K. SELMAN
ALONZO SHUMATE**

3-28-4-tc

**STATE OF ALABAMA
COUNTY OF WALKER**

Before me, the undersigned authority in and for said state and county, this day personally appeared Betty A. Willingham of The Walker County Times, a newspaper published in Jasper, Walker County, Alabama, which has a general circulation in the county in which it is published, which newspaper has been mailed under second class mailing privileges for fifty-two consecutive weeks prior to the publication of the legal advertisement, who, being by me duly sworn, says that the legal notice, a copy of which is hereto attached was published in the said Walker County Times for consecutive weeks, namely: March 28, 1957, April 4, 1957, April 11, 1957, April 18, 1957.

**WALKER COUNTY TIMES,
By Betty A. Willingham.**

Sworn and subscribed to before me, This 15th day of May, 1957.

**LATHAN G. SADDLER.
Notary Public.**

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read at length and referred to appropriate Standing Committees, as follows:

H. B.'s 21, 25, 45, 51, 52, 53, 76, 77, 78, 99, 107, 116, 151, and 172—to the Committee on Local Legislation.

H. B.'s 49, 57, and 96—to the Committee on Constitution and Constitutional Revision and Amendments

(The above numbered bills were read at length as required by the Constitution.)

H. B. 80—to the Committee on Education.

MOTION TO RECESS

Mr. Lamberth moved that upon the completion of the Joint Session, the Senate take a recess until two o'clock this afternoon, which motion was adopted.

JOINT SESSION

The hour of 11 o'clock A. M. having arrived, and in accordance with Joint Resolution heretofore adopted, the Senate repaired to the hall of the House of Representatives for the purpose of hearing an address by Mr. Eddie Gilmore.

The session was called to order by Lieutenant Governor Hardwick. A quorum of the Legislature was present.

Thereupon Mr. Gilmore delivered his address to the Legislature of Alabama.

The purpose of the Joint Session having been accomplished, and in accordance with motion heretofore adopted, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION

FIFTH LEGISLATIVE DAY

TUESDAY, MAY 21, 1957

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:
Allen
Boutwell
Bradford
Calvin
Cantrell

Cooper
Davis (Lowndes)
Davis (Pickens)
Dyar
Eddins
Engelhardt

Flowers
Givhan
Goodwin
Grisham
Hall
James

Jones
Lamberth
Leonard
Little
Metcalf
Moses

Newton
Reeves
Roberts

Robison
Shelton
Skidmore

Smith
Tate
Van Antwerp

Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. McKay, Lee (Barbour), Thomas, Mathews, McClendon (Chambers), Dawkins, Edwards (Escambia), Nettles, and Gilmer:

H. J. R. 13. WHEREAS the Constitution of the United States was formed by the sanction of the several states, given by each in its sovereign capacity; and

WHEREAS the states being the parties to the constitutional compact, it follows of necessity that there can be no tribunal above their authority to decide, in the last resort, whether the compact made by them be violated; and, consequently, they must decide themselves, in the last resort, such questions as may be of sufficient magnitude to require their interposition; and

WHEREAS a question of contested power has arisen: The Supreme Court of the United States asserts, for its part, that the states did, in fact, in 1868, upon the adoption of the Fourteenth Amendment prohibit unto themselves the power to maintain racially separate public institutions; the State of Alabama, for its part, asserts that it and its sister states have never surrendered such rights; and

WHEREAS the Legislature of Alabama denies that the Supreme Court of the United States had the right which it asserted in the school cases decided by it on May 17, 1954, the labor union case decided on May 21, 1956, the cases relating to criminal proceedings decided on April 23, 1956, and January 16, 1956, the anti-secession case decided on April 2, 1956, the case relating to intrastate commerce decided on April 23, 1956, and the case relating to teacher requirements decided on April 9, 1956, to enlarge the language and meaning of the compact by the States in an effort to withdraw from the States powers reserved to them and as daily exercised by them for almost a century; and

WHEREAS this assertion upon the part of the Supreme Court of the United States, accompanied by threats of coercion and compulsion against the sovereign state of this Union, constitutes a deliberate, palpable, and dangerous attempt by the court to prohibit to the states certain rights and powers never surrendered by them; and

WHEREAS the question of contested power asserted in this resolution is not within the province of the court to determine, but that as in other cases in which one party to a compact asserts an infraction thereof, the judgment of all other equal parties to the compact must be sought to resolve the question; be it

RESOLVED By The Legislature of Alabama, Both Houses Thereof Concurring:

That said decisions and orders of the Supreme Court of the United States denying the individual sovereign states the power to enact laws relating to espionage or subversion, criminal proceedings, the dismissal of public employees for refusal to answer questions concerning their connections with communism, "right to work" protection, the case relating to intrastate commerce, and relating to separation of the races in the public institutions of a State, are null, void and of no force or effect.

That the elected representatives of the people of Alabama do now seriously declare that it is the intent and duty of all officials, state and local, to observe, honorably, legally and constitutionally, all appropriate measures available to resist these illegal encroachments upon the sovereign powers of this State.

That we urge firm and deliberate efforts to check these and further encroachments on the part of the Federal Government, and on the part of said Court through judicial legislation, upon the reserved powers of all the States, powers never surrendered by the remotest implication but expressly reserved and vitally essential to the separate and independent autonomy of the States in order that by united efforts the States may be preserved.

That the Governor is requested to transmit a copy of this resolution to the executive authority of each of the other states, and to the Congress, and to the Supreme Court of the United States for its information.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 13, set out in the foregoing Message from the House was read and on motion of Mr. Givhan was referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 16. Relative to Black Monday, May 17, 1954, decision of the Supreme Court of the United States.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTION

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 17. BE IT RESOLVED BY the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Friday, May 24, 1957, at 10:00 o'clock A. M.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

HOUSE JOINT RESOLUTION 14

By Messrs. Callahan and Oden:

BE IT RESOLVED by the House of Representatives, the Senate concurring, that each member of the Legislature of Alabama who served as a budget advisor to the Governor during the public hearings held on the

present budget be paid at the rate of Twenty Dollars (\$20.00) per day for each day's attendance at such hearings: Such payment to be made from the appropriation heretofore made to the Legislature for the fiscal year ending September 30, 1957.

And ordered same sent forthwith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 14, set out in the foregoing Message from the House, was read and on motion of Mr. Lamberth was referred to the Standing Committee on Finance and Taxation.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Bradford:

S. 189. To regulate further the compensation of teachers in public school systems.

Committee on Education.

By Mr. Bradford:

S. 190. To amend further the Act approved August 19, 1949, entitled "An Act to provide for absentee voting in primary, general, special and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws" (Act No. 424, H. 351, Acts of 1949, p. 601).

Committee on Privileges and Elections.

By Mr. Tate:

S. 191. To amend further Act No. 159, H. 233, approved June 23, 1945, (General Acts of Alabama, 1945, page 200), which regulated, through licensure, the business of lending money, created the Bureau of Loans in the Department of Commerce, and prescribed procedures for the enforcement of the Act, as amended and reenacted by Act No. 787, S. 601, approved September 11, 1951 (Acts of Alabama, 1951, page 1385).

Committee on Banking.

By Messrs. Tate, Bradford, and Little:

S. 192. To amend Section 7 of Act No. 158, H. 145, approved February 24, 1956 (Acts of Alabama, 1956, p. 224), entitled "An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act."

Committee on Finance and Taxation.

By Messrs. Vann, Moses, and Calvin:

S. 193. To propose an amendment to the Constitution authorizing the Legislature to enact local legislation on certain subjects, and providing that the effectiveness of such legislation shall be conditioned upon its approval by the qualified electors of the county or counties affected thereby.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Allen:

S. 194. To propose an amendment to the Constitution prescribing the method of adopting amendments which affect only a part of the counties in the State.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Robison:

S. 195. To provide for the appointment of bailiffs for the circuit courts of all counties having a population of not less than 135,000 nor more than 225,000 inhabitants, according to the last or any subsequent federal decennial census, to regulate their compensation and provide for the payment thereof.

Committee on Local Legislation.

By Mr. Vann:

S. 196. Further regulating the meetings of the boards of registrars in counties having a population of 130,000 or less.

Committee on Privileges and Elections.

By Messrs. Cooper, Roberts, and Flowers:

S. 197. To authorize any city or town in the State of Alabama to construct, reconstruct, equip, improve, extend, enlarge, maintain, repair and operate off-street parking facilities; to define such off-street parking facilities; to authorize cities and towns to acquire real estate, or any interest therein, situated in such city or town, by purchase, gift, bequest, devise, grant, or condemnation, to be used for such off-street parking facilities; to acquire such personal property as may be necessary for such off-street parking facilities; to establish and revise from time to time and collect rates, fees, tolls, rentals and other charges for the services and facilities furnished by such parking facilities; to lease all or any part of such parking facilities; to accept loans or grants from the federal government for the planning, construction or acquisition of such parking facilities; to make and enter into contracts and agreements necessary or incidental to its powers under this Act; to authorize such cities and towns to issue revenue bonds for the purpose of financing the cost of any such parking facilities, or for the purpose of refinancing any bonds theretofore issued hereunder, or for the combined purpose of financing the cost of any such parking facilities and refunding bonds theretofore issued hereunder; to provide for the pledge of revenues derived from such parking facilities to the payment of such bonds; to provide that any bonds issued hereunder shall be payable solely out of the revenues derived from such parking facilities; to provide that such bonds shall not constitute an indebtedness of such city or town within the meaning of any constitutional provision or limitation or at all; to provide the method and manner by which such bonds shall be issued by such city or town; to provide that such parking facilities and the revenues therefrom shall be exempt from

all taxation; to provide that such bonds and the income therefrom shall be exempt from all taxation; to provide the maximum interest rate at which such bonds may be issued; to authorize such cities and towns to pledge, mortgage, execute deeds of trust or create liens upon such parking facilities for the security of such bonds; to provide the creation of a statutory mortgage lien upon such parking facilities; to provide the manner of enforcement of such liens; to provide for the appointment of a receiver upon default of such bonds; to provide that such bonds shall be legal investments for fiduciary funds; to provide that such bonds shall have all the qualities and incidents of negotiable instruments except that they shall not be construed as unconditional promises to pay; to provide that moneys received pursuant to the authority of this Act shall be deemed trust funds; to provide for the use of the proceeds of bonds issued hereunder, to provide the authenticity of signatures of city or town officers under certain circumstances; to provide for the issuance of additional bonds under certain circumstances; to provide that the rates, fees, tolls, rentals, and other charges for the services and facilities furnished by such parking facilities shall not be subject to supervision or regulation by any state, bureau, board, commission or other like agency thereof; to provide for the accounting of revenues derived from such facilities; to provide for call provisions in such bonds; to provide that bonds issued hereunder need not comply with the requirements of any other law applicable to the issuance of bonds; to provide that this Act be liberally construed; declaring the provisions of this Act to be severable.

Committee on Municipalities and Municipal Organizations.

By Messrs. Roberts, Robison, and Flowers:

S. 198. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Committee on Constitution and Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

MOTION TO RECESS

At 2:15 P. M., on motion of Mr. Lamberth, the Senate took a recess until 2:30 O'clock this afternoon.

The Recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Aulauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 68. To provide for the employment of a clerical assistant by the tax assessor of Macon County, whose compensation shall be paid from the county treasury.

Also:

S. 69. To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury.

Also:

S. 88. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

Also:

S. 93. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

Also:

S. 94. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Grouby:

H. 17. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE
A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the municipality of Prattville in Autauga County are hereby altered and rearranged to include within the corporate limits of the city the following described land lying and being in Township 17, Range 16, Autauga County:

The southeast quarter of the northeast quarter of Section 20—40 acres; the southwest quarter of the northwest quarter of Section 21—40 acres; the west half of the southeast quarter of the northwest quarter of Section 21—20 acres; the northwest quarter of the southwest quarter of Section 15—40 acres; the northeast quarter of the southwest quarter of Section 15—40 acres; all of the southeast quarter of Section 15 west of Pine Creek; all of the northeast quarter of Section 15 west of Pine Creek; the southeast quarter of Section 10—160 acres; all of the southwest quarter of the northwest quarter of Section 10 west of the east right of way line of U. S. Highway No. 31, it being all of the southwest quarter of the northwest quarter not heretofore included in the city limits; the south half of the northeast quarter of Section 9—80 acres; the west half of the west half of the southwest quarter of Section 4—40 acres.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

29M4c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 29th, April 5th, April 12th and April 19th, all in the year 1956.

Mrs. H. M. Doster.

Sworn to and subscribed before me May 7th, 1957.

Fannie Goldfield,
Title, Notary Public.

Also:

By Messrs. Shumate and Selman:

H. 169. To authorize the circuit solicitor and the county solicitor for any county having a population of not less than 63,700 nor more than 72,500, according to the last or any subsequent federal decennial census,

jointly to appoint a secretary, who shall be stationed in the office of the circuit solicitor, and whose compensation shall be \$200 per month, payable from the county treasury.

Also:

By Mr. Kelly:

H. 183. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Winston County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Winston; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Winston County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Winston County.

Section 2. The County governing body of Winston County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

(a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to same extent as it may presently do so under the laws of the State:

(b) To borrow money and issue bonds or other evidence of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) To exercise, subject to the approval of the State Highway Department the right of eminent domain for the purpose of acquiring right-of-way for the establishment and changing county roads and bridges in the manner presently provided by law;

(d) All personnel employed prior to January 1, 1959 shall be employed on the unanimous recommendation of the State Senator and State Representative of Winston County, Alabama.

Section 3. The governing body of Winston County shall have no authority:

(a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges:

(b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges;

(c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act the governing body of Winston County and all officials of the county shall transfer and turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Winston County shall pay over to the State Highway Department all funds collected or received by them as taxes, or otherwise, including the motor vehicle license tax allocated to the county, from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Winston County subject to the provisions of this Act.

Section 5. Persons employed by Winston County for road and bridge work who are in service on the effective date of this Act may be continued in service by the State Highway Department, on the unanimous recommendation of the State Senator and State Representative of Winston County, Alabama, until January 1, 1959, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. Effective January 1, 1959, all personnel employed by the department in the administration of this Act shall be brought under the provisions of the State Merit System without benefit of examinations. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law, after January 1, 1959.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Winston County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of the funds to be paid over to the Highway Department under the provisions of section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Winston County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of section 2 (b) hereof in the event the funds paid over to the State Highway Department are insufficient to do so, or to require any of the financial obligation presently existing or hereafter incurred under the provisions of Section 2 (b) hereof of the county to be paid from funds of the Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Winston County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Winston County for road and bridge work from any source not specifically excepted under the terms of this Act. The State Highway Department shall retain, and the appropriate State Officials are authorized to pay over to it, any funds or amounts to which Winston County shall be entitled to from the proceeds of the State gasoline tax, the motor vehicle license tax allocated to the county, or any other State tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Winston County is entitled, received by the State Highway Department for road work in Winston County shall be kept in separate account referred to in Section 4 of this Act.

Section 8. At the time the governing body of the County transfers to the Department county-owned equipment, machinery and supplies, under the provisions of this Act, an inventory thereof shall be made, a copy to be kept on file by the County and by the Department and in the event this Act is repealed or becomes inoperative, the department shall return to the County road equipment, machinery, and supplies of like kind and equal value.

Section 9. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 10. The provisions of this Act are hereby declared to be severable in nature and should any Section or other portion thereof be declared unconstitutional or invalid such adjudication shall not affect the portion or portions of said Act remaining.

Section 11. This Act to become effective upon its passage and approval by the Governor or its otherwise becoming a law.

J. H. KELLY,
Representative,
Winston Count, Alabama.

SHD 3-20-27-4-3-10

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA WINSTON COUNTY

Personally appeared before me the undersigned authority in and for said county and state, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Advertiser, a newspaper of general circulation, published weekly in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for four consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20th day of March, 1957, and the last copy of said publication appearing in the said paper on the 10th day of April, 1957.

JAY THORNTON.

Sworn and subscribed to before me this 6th day of May, 1957.

R. J. THORNTON,
Notary Public.

Also:

By Mr. Love:

H. 205. To provide the Sheriff of Covington County, Alabama, and additional Deputy Sheriff to those now provided by law; to fix the salary of said deputy and to make the same payable in equal monthly installments from the General Funds of Covington County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A LOCAL BILL APPEARING BELOW WILL BE INTRODUCED AT THE NEXT SESSION OF THE LEGISLATURE OF ALABAMA.

A BILL TO BE ENTITLED AN ACT

To provide the Sheriff of Covington County, Alabama, an additional Deputy Sheriff to those now provided by law; to fix the salary of said deputy and to make the same payable in equal monthly installments from the General Funds of Covington County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1: That the Sheriff of Covington County, Alabama, is hereby provided an additional deputy sheriff to the deputies now provided by law, who shall be appointed by the sheriff of said county and who shall hold office at the discretion of the sheriff, and shall receive a salary of not less than \$2400.00 per annum nor more than \$3600.00 per annum, to be paid in twelve equal installments out of the general funds of Covington County, Alabama; the exact amount of said annual salary shall be set by the Covington County Board of Revenue within the minimum and maximum herein fixed, to be evidenced by an order duly entered upon the official minutes of said Board of Revenue.

Section 2: The sheriff shall after appointment of a deputy certify the name of such deputy so appointed to the Board of Revenue or like governing body of said Covington County, and after such certification, it shall be the duty of the Board of Revenue or like governing body to draw or cause to be drawn a warrant upon the general funds of said county, payable to said deputy for the salary fixed and determined by said board, and said warrant shall cover the salary due said deputy from the date of his appointment by the sheriff to the first of the month next succeeding, and said county governing body shall on the first day of each month thereafter during the service rendered by said deputy draw or cause to be drawn a warrant to cover one month's salary or such part thereof as such deputy shall serve.

Section 3: This act shall become effective from and after its approval by the Governor or from the date it shall otherwise become law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

I, Ben S. Woodham, editor of The Florala News, a weekly newspaper of general circulation published in Covington County, Alabama, do hereby certify that the attached notice has been published in said newspaper for a period of four (4) weeks, appearing in the issues of April 4, 11, 18, 25, 1957.

BEN S. WOODHAM.

Sworn and subscribed to before me this 13th day of May, 1957.

ROXIE MAE LOVE,
Notary Public.

Also:

By Mr. Love:

H. 206. To increase the minimum and maximum salaries payable to Deputies Sheriff (except the Chief Deputy) of Covington County, Alabama, now authorized under the laws of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

AT THE NEXT SESSION OF THE LEGISLATURE OF ALABAMA
A LOCAL BILL WILL BE INTRODUCED AS FOLLOWS:

A BILL TO BE ENTITLED AN ACT

To increase the minimum and maximum salaries payable to Deputies Sheriff (except the Chief Deputy) of Covington County, Alabama, now authorized under the laws of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Deputies Sheriff (except the Chief Deputy) of Covington County, authorized under general and local laws of Alabama, shall receive a salary of not less than \$2400.00 and not more than \$3600.00 per year.

Section 2. That the salary shall be fixed by order of the Board of Revenue of Covington County at not less than the minimum nor more than the maximum specified in the preceding section, and shall be paid out of the General Fund of the county in twelve equal installments.

Section 3. All laws or parts of laws in conflict with this act are hereby repealed.

Section 4. This act shall take effect on the first day or the fifteenth of the month, whichever is nearer, following its approval by the Governor.
4-4-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

I, Ben S. Woodham, editor of The Florala News, a weekly newspaper of general circulation published in Covington County, Alabama, do hereby certify that the attached notice has been published in said newspaper for a period of four (4) weeks, appearing in the issues of April 4, 11, 18, 25, 1957.

BEN S. WOODHAM.

Sworn and subscribed to before me this 13th day of May, 1957.

ROXIE MAE LOVE,
Notary Public.

Also:

By Mr. Ferrell:

H. 211. To alter or re-arrange the boundary lines of the City of Fort Payne, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a local bill will be presented to the Legislature of Alabama at the first session convened or convening after four consecutive weeks publication of this notice relating to the changing and extending of the corporate limits of the City of Fort Payne, DeKalb County, Alabama, and in words and figures substantially as follows:

AN ACT

To alter or re-arrange the boundary lines of the city of Fort Payne, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Fort Payne, DeKalb County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama which certain other territory is described as follows:

Commencing at Southwest corner of Section 33, Township 6, South, Range 9 East being a point on North line of existing city limits of Fort Payne, Alabama for a point of beginning, thence North along the West line of said Section 33 to one-half mile corner on West side of said Section; thence East along the North line of the Southwest quarter of said Section 33 800 feet more or less, and to intersection with the center line of Beeson Branch; thence Southeasterly along the meanderings of the center line of said Beeson Branch, 2075 feet, more or less, and to the West right-of-way line of the AGSRR Co; thence S. 39° 2' West along the West right-of-way line of AGSRR Co. 1309 feet, more or less, and to the South line of Section 33; thence West along the South line of said Section 33 (also being the existing city limit line of Fort Payne, Alabama) 1489 feet, more or less, and to the point of beginning, lying and being in the West one-half of Section 33, Township 6 South, Range 9 East, DeKalb County, Alabama.

Section 2. That the territory particularly described in Section One of this act shall hereafter be and constitute a part of the City of Fort Payne, DeKalb County, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its passage and approval by the governor.

3-26-41.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA }
COUNTY OF DEKALB } ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, JAMES YOUNG, publisher of The Fort

Payne Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of March 26, April 2, April 9, and April 16, 1956.

JAMES H. YOUNG,
Publisher.

Sworn to and subscribed before me this 23 day of May, 1956.

W. W. WATSON,
Notary Public.

My commission expires March 1, 1960.

Also:

By Mr. Johnson (Elmore):

H. 213. To provide for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County, Alabama, and to provide for their compensation and allowances of expenses.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE!

Notice is hereby given that when the Legislature of Alabama again convenes application will be made for the passage and approval of a certain bill affecting Elmore County which in substance is as follows:

A BILL TO BE ENTITLED AN ACT

To provide for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County, Alabama, and to provide for their compensation and allowances of expenses.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Sheriff of Elmore County, Alabama, shall have one Chief Deputy and may have four additional Deputies, all to be appointed by him.

Section 2. The Chief Deputy Sheriff shall receive a salary of not exceeding \$300.00 per month, the same to be fixed by the Court of County Commissioners of said County.

Section 3. The said Sheriff may also have a Deputy Sheriff who shall receive a salary not exceeding \$275.00 per month, the same to be fixed by the Court of County Commissioners of said County.

Section 4. Said Sheriff may also have a Deputy who shall receive a salary of not exceeding \$275.00 per month, the same to be fixed by the Court of County Commissioners of said County.

Section 5. Said Sheriff may also have a deputy who shall receive a salary of not exceeding \$275.00 per month, the same to be fixed by the Court of County Commissioners of said County, and whose duties shall be performed principally in that section of Elmore County west of the Coosa River.

Section 6. The said Chief Deputy and the Deputies authorized in Sections 4 and 5 hereof in addition to the regular monthly compensation shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies at the rate of five cents per mile in

all cases where he provides his own vehicle and pays for operating the same, provided, however, that none is paid more than \$100.00 in any month for such for such expenses.

Section 7. Said Sheriff may also have an additional Deputy who shall not be paid any salary out of public funds of the County and whose duties shall be performed principally in the vicinity of Martin Lake but who shall be entitled to his actual expenses for traveling in the performance of his official duties at the rate of five cents per mile provided, however, that he is not paid more than \$100.00 in any one month for such expenses.

Section 8. The regular monthly salaries of the Chief Deputy and other Deputies hereinabove provided for shall be payable in equal monthly installments out of the general fund of Elmore County, Alabama, and all travel expenses hereinabove provided for shall be paid each month out of the general fund of the County upon presentation of claims therefor filed with the Court of County Commissioners of said County for the number of miles so traveled during the preceding month.

Section 9. Before entering upon the duties of their office the Chief Deputy and each of said Deputies herein authorized shall execute a bond conditioned and approved as required by law for bonds required by Sheriffs in the sum of \$1,000.00 payable to the State of Alabama and recorded and filed in the Probate Office of said County.

Section 10. That all laws and parts of law in conflict with this act are hereby repealed.

Section 11. If any section or provision hereof is held to be invalid, the other parts of this act shall nevertheless remain in full force and effect.

Section 12. This act shall become effective on the first day of the month next succeeding its passage and approval or its otherwise becoming a law.
4apr4t

THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golson, who by me first being duly sworn deposes and says that he is the Publisher of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and that the attached notice Legal Notice: A Bill to be entitle an Act was published in said newspaper for 4 successive weeks towit: April 4, 11, 18, 25, 1957.

W. H. GOLSON,
Publisher of The Wetumpka Herald.

Sworn to and subscribed before me this the 10 day of May, 1957.

ELAINE HOLLEY,
Notary Public.

Also:

By Messrs. Solomon and Mathison:

H. 223. To alter, re-arrange, and extend the boundaries of the City of Headland in Henry County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF HENRY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange, and extend the boundaries of the City of Headland in Henry County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Headland in Henry County are hereby altered, re-arranged and extended so as to embrace within the corporate limits of said municipality an area of sixteen square miles, as follows: Commencing at a point two miles due west of the center of the square in the City of Headland, as it is now laid off, and running thence due north a distance of two miles, thence due east a distance of four miles, thence due south a distance of four miles, thence due west a distance of four miles, and thence due north a distance of two miles to the starting point.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mar 28 Apr 4-11-18c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HENRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wiregrass Farmer, a newspaper of general circulation published in Henry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 28, April 4, April 11, and April 18, all in the year 1957

J. EDWARD DODD.

Sworn to and subscribed before me April 18, 1957

JIMMY McCLENNY,
Notary Public State At Large.

Also:

By Mr. Roberts:

H. 227. Making an appropriation from the treasury of Madison County for the relief of R. B. Massey, to compensate him for property damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal liability and cannot be sued.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Making an appropriation from the treasury of Madison County for the relief of R. B. Massey, to compensate him for property damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal liability and cannot be sued.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of one hundred ten dollars (\$110) is hereby appropriated from the treasury of Madison County to the use and benefit of R. B. Massey, for the purpose of compensating the said R. B. Massey for property damages incurred as a result of a motor vehicle accident involving a truck owned by the county and an automobile owned by the said Massey. Said accident occurred on or about March 16, 1956, within the city limits of Huntsville, under such circumstances that the county is morally and justly obligated to pay the damage, but the said Massey has no recourse at law to recover the same.

Section 2. The court of county commissioners, board of revenue, or like governing body of Madison County is hereby authorized, directed, and required to draw or cause to be drawn a warrant on the treasury of said county in favor of R. B. Massey for the amount appropriated herein, and the custodian of county funds is hereby authorized, directed, and required to pay the same upon due presentation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. April 4, 11, 18, 25, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1957.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me April 26, 1957.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Harrison:

H. 238. To amend further Section 3 of Title 54, Code of Alabama (1940), which relates to the appointment, term, and compensation of a chief deputy to the sheriff in each of the various counties.

Also:

By Mr. Selman:

H. 247. To authorize the sheriff of Walker County to appoint additional deputies whose compensation shall be paid out of the general fund in the county treasury.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize the sheriff of Walker County to appoint additional deputies whose compensation shall be paid out of the general fund in the county treasury.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Walker County is hereby authorized to appoint two deputies in addition to all other deputies authorized by law. Each of such deputies shall be entitled to receive a salary of three hundred twenty-five dollars (\$325) a month, payable monthly from the general fund in the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month next following its passage and approval by the Governor or its otherwise becoming a law.

HOWARD TURNER, Sheriff.

3-29-3tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, bookkeeper, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 12, 1956, July 19, 1956, July 26, 1956, and Aug. 2, all in the year 1956.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 7, 1957.

FAY O'REAR,
Notary Public.

Also:

By Mr. Selman:

H. 249. To fix the compensation of the deputies and other assistants to the sheriff of Walker County; and to repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of the deputies and other assistants to the sheriff of Walker County; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The deputies and other assistants to the sheriff of Walker County shall receive the following compensation: The chief deputy sheriff shall receive a salary of four thousand five hundred dollars (\$4,500) per annum; deputies or bailiffs whose salaries are paid by the county shall each receive a salary of three thousand nine hundred dollars (\$3,900) per annum; jailers paid by the county shall each receive an annual salary of three thousand dollars (\$3,000). The salaries of such deputies and assistants to the sheriff shall be payable in equal monthly installments out of the general funds of the county in the same manner as now prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month next following its passage and approval by the Governor, or its otherwise becoming a law.

HOWARD TURNER, Sheriff.

3-29-3tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County and in said State, this day personally appeared Margaret Phillips, who being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of THE MOUNTAIN EAGLE, a newspaper of general circulation published in WALKER County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on July 12, July 19, July 26, and August 2, all in the year 1956.

MARGARET PHILLIPS.

Sworn and subscribed before me this 7th day of May, 1957.

FAY O'REAR,
Notary Public.

Also:

By Mr. Kelly:

H. 251. To amend Act No. 465, H. 743, approved September 9, 1955 (Acts of Alabama, 1955, p. 1054), entitled "An Act Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 465, H. 743, approved September 9, 1955 (Acts of Alabama, 1955, p. 1054), entitled "An Act Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 465, H. 743, approved September 9, 1955 (Acts of Alabama, 1955, p. 1054), entitled "An Act Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses," is amended to read as follows:

"Section 1. The county board of education of Winston County shall employ no person as a school bus driver who is not at least 25 years of age at the time of his employment, and shall pay school bus drivers a salary of at least one hundred dollars (\$100) per month. The county board of education of Winston County shall also cause heaters to be placed in the county school buses."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1957.

JAY THORNTON.

Sworn to and subscribed before me May 10, 1957.

R. J. THORNTON,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 17, 169, 183, 205, 206, 211, 213, 223, 227, 247, 249, and 251—to the Committee on Local Legislation.

H. B. 238—to the Committee on Judiciary.

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following House Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 13—Resisting illegal encroachments of the Supreme Court of the United States upon sovereign powers of the State of Alabama.

And said Resolution was then concurred in and adopted by the Senate.

FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION 14

The Senate proceeded to further consideration of the Resolution:

S. J. R. 14—Appointing a research Legislative Committee for the study of nuclear energy.

Mr. Newton moved that further consideration of the Resolution be postponed until the twelfth legislative day.

Mr. Metcalf moved that the motion to postpone be laid on the table. The motion to table was lost.

Yeas 11; Nays 20.

Yeas:

Messrs.:	Goodwin	Lamberth	Roberts
Bradford	Grisham	Leonard	Robison
Flowers	James	Metcalf	Skidmore

—11

Nays:

Messrs.:	Davis (Lowndes)	Hall	Shelton
Allen	Davis (Pickens)	Jones	Smith
Boutwell	Dyar	Little	Tate
Calvin	Eddins	Moses	Yarbrough (Autauga)
Cantrell	Engelhardt	Newton	Yarbrough (Randolph)
Cooper			

—20

The question recurred on motion of Mr. Newton, and further consideration of the Resolution, S. J. R. 14, was postponed until the twelfth legislative day.

MOTION TO AMEND SENATE RULES

Mr. Calvin offered the following motion in writing:

"In accordance with notice given on the last legislative day, I hereby move that Rule 31 of the Rules of the Senate be amended by adding at the end thereof the following:

"On all executive nominations and appointments the committee on rules shall call a public hearing and said committee shall not report said nominations or appointments to the Senate earlier than the next legislative day following receipt of the same by the Senate."

Mr. Calvin moved that said motion to amend Senate Rule 31 be adopted.

Mr. Lamberth raised the Point of Order that a motion to amend a rule must be referred to the Committee on Rules, thereupon said motion was referred to the Standing Committee on Rules.

BILLS ON THIRD READING

The Bill:

S. 54. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, page 734), the Act which established the Employees' Retirement System of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	James	Robison
Allen	Eddins	Jones	Shelton
Boutwell	Engelhardt	Lamberth	Skidmore
Bradford	Flowers	Leonard	Smith
Calvin	Givhan	Little	Tate
Cantrell	Goodwin	Metcalf	Vann
Cooper	Grisham	Moses	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
Davis (Pickens)			

—32

Nays:

—0

The Bill:

S. 42. To Amend Section 151 of Chapter 8 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 206 of Acts of the 1943 Session of the Legislature, and as amended by Act No. 418 of the 1951 Regular Session of the Legislature.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Allen	Dyar	Jones	Robison
Boutwell	Eddins	Lamberth	Shelton
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Little	Tate
Cantrell	Goodwin	Metcalf	Yarbrough (Autauga)
Cooper	Grisham	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Hall	Reeves	—30

Nays:

—0

The Bill:

S. 111. To amend Section 44 of Title 11, Code of Alabama (1940), which relates to the fees allowed witnesses for mileage and attendance in civil cases.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Engelhardt	Lamberth	Shelton
Boutwell	Flowers	Leonard	Skidmore
Bradford	Givhan	Little	Smith
Calvin	Goodwin	Metcalf	Vann
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	Hall	Roberts	Yarbrough (Randolph)
			—27

Nays:

Messrs.:	Davis (Pickens)	James	Tate
Davis (Lowndes)	Eddins	Newton	—6

The Bill:

S. 52. To amend Title 34, Section 74, Code of Alabama, 1940, which relates to contracts between husband and wife, by deleting therefrom the provision prohibiting a wife from becoming the surety for the husband.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Calvin	Davis (Pickens)	Flowers
Allen	Cantrell	Dyar	Givhan
Boutwell	Cooper	Eddins	Goodwin
Bradford	Davis (Lowndes)	Engelhardt	Grisham

Hall	Little	Robison	Tate
James	Metcalf	Shelton	Vann
Jones	Newton	Skidmore	Yarbrough (Autauga)
Lamberth	Reeves	Smith	Yarbrough (Randolph)
Leonard	Roberts		—33

Nays:

—0

The Bill:

S. 156. To repeal Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Leonard	Roberts	Tate
Calvin	Little	Robison	Van Antwerp
Cantrell	Metcalf	Shelton	Vann
Cooper	Moses	Skidmore	Yarbrough (Autauga)
Givhan	Newton	Smith	Yarbrough (Randolph)
Goodwin	Reeves		—21

Nays:

—0

The Bill:

S. 157. To repeal an act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney in person or as attorney in fact, or any person related by blood or marriage to such attorney within the first or second degree in person or as attorney in fact, or the husband or wife of such attorney, either in person or as attorney in fact, or any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first or second degree has an interest, from signing any bail bond in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit for a client of such attorney, and prescribing penalties for violations of this Act," (Act No. 114, H. 331, Acts of Alabama, Regular Session 1953, Vol. I, p. 163).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Little	Roberts
Allen	Hall	Metcalf	Robison
Boutwell	James	Moses	Shelton
Bradford	Jones	Newton	Skidmore
Calvin	Lamberth	Reeves	Smith
Cantrell	Leonard		—21

Nays:

—0

The Bill:

S. 158. To repeal an act approved June 22, 1953 entitled "An Act Relating to the Fourteenth Judicial Circuit; providing for the drawing and the summoning and service by mail of petit jurors in criminal, quasi-criminal and civil cases and persons drawn for jury service to compose grand juries in the Fourteenth Judicial Circuit and providing secrecy as to names and identity of persons drawn for petit or grand jury service and prescribing penalties for violation of this Act," (Act No. 115, H. 332, Acts of Alabama, Regular Session 1953, Vol. I, P. 164).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Newton	Skidmore
Davis (Lowndes)	Lamberth	Reeves	Smith
Davis (Pickens)	Leonard	Roberts	Tate
Dyar	Little	Robison	Van Antwerp
Hall	Metcalf	Shelton	Vann
James	Moses		

—21

Nays:

—0

The Bill:

S. 159. To repeal an act approved June 22, 1953 entitled "An Act Prohibiting any practicing attorney from accepting employment by, or representing, a defendant in any criminal or quasi-criminal case in the Fourteenth Judicial Circuit if the bail bond of the defendant has been signed by such attorney, in person or as attorney in fact, or by the husband or wife of such attorney, in person or as attorney in fact, or by any person, in person or as attorney in fact, related by blood or marriage to such attorney within the first or second degree, or by any corporation in which stock is owned by such attorney or is owned by any person related by blood or marriage to such attorney within the first or second degree, or any member of any partnership in which such attorney or any person related to him by blood or marriage within the first of second degree has an interest; and prescribing penalties for the violation of this Act," (Act No. 113, H. 329, Acts of Alabama, Regular Session 1953, Vol. I, p. 162).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Cooper	James	Robison	Van Antwerp
Davis (Lowndes)	Jones	Shelton	Vann
Davis (Pickens)	Moses	Skidmore	Yarbrough (Autauga)
Dyar	Newton	Smith	Yarbrough (Randolph)
Grisham	Reeves		

—21

Nays:

—0

The Bill:

S. 161. Relating to Winston County; reorganizing the county government abolishing the Board of Revenue of Winston County, and creating in lieu thereof the Board of Finance and Control of Winston County; prescribing the power, authority, and jurisdiction of the Board of Finance

and Control; providing for the selection, qualifications, terms, power, duties, and compensation of the members thereof; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Roberts	Tate
Allen	Little	Robison	Van Antwerp
Eddins	Metcalf	Shelton	Vann
Engelhardt	Moses	Skidmore	Yarbrough (Antauga)
Flowers	Newton	Smith	Yarbrough (Randolph)
Givhan	Reeves		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 17—Relative to adjournment of the two Houses to meet again on Friday, May 24, 1957, at 10:00 o'clock A. M.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the fifth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the fifth legislative day approved by the Senate.

ADJOURNMENT

At 4:00 P. M., on motion of Mr. Lamberth, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, May 24, 1957, at 10 o'clock A. M.

SIXTH LEGISLATIVE DAY

Friday, May 24, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. J. R. White, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalfe	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 13. Relative to the people of Alabama taking firm and deliberate efforts to check further encroachments on individual states on the part of the Federal Government .

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

RESOLUTIONS

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 18. BE IT RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Tuesday, May 28th, 1957, at 12:00 o'clock A. M.

Which was adopted.

Mr. Bradford offered the following Senate Joint Resolution, to-wit:

S. J. R. 19. WHEREAS, the Bureau of Apprenticeship, Department of Labor, a Federal Agency, is seeking congressional approval to change the name of this bureau to the "Bureau of Apprenticeship and Training", and

WHEREAS, the Department of Labor is seeking an appropriation of \$340,000 to set up this division of training, and such division of training would engage in the same activities that are presently being carried on by the public schools in the several states, and

WHEREAS, this would be a step toward federalizing public education in America, and a federally operated program of education would not be subject to the laws, traditions and customs of the several states under which our public schools presently operate, and

WHEREAS, such a federal program of training would not be subject in any way to state or local control in its administration, and the present program of Vocational Education administered by state and local school authorities is capable of meeting the training needs of this country,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that this body go on record in opposition to this proposed change of name and function of the Bureau of Apprenticeship in the U. S. Department of Labor and to funds being authorized in connection with establishing a division of training, and

BE IT FURTHER RESOLVED that this body urge a greater concentrated effort upon the promotion and development of apprenticeship in the several states, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to each member of the Alabama delegation in the United States Congress.

Which was read and referred to the Standing Committee on Rules.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 16. Condemning the Black Monday Decision of the U. S. Supreme Court and pledging resistance by all lawful means to the judgment of the Court.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 68. To provide for the employment of a clerical assistant by the tax assessor of Macon County, whose compensation shall be paid from the county treasury.

Also:

S. 69. To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury.

Also:

S. 88. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

Also:

S. 94. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Also:

S. 93. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote

of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Yarbrough (Randolph), Moses, Calvin, Vann, Skidmore, Goodwin, and Shelton:

S. 199. To amend an act approved August 26, 1955 (Act No. 289, H. 273, Acts of Alabama, 1955, Vol. I, p. 661), which provides for the withholding of income taxes from wages and salaries, so as to require employers to remit taxes withheld during July and August of each year on or before the following 15th day of September.

Committee on Finance and Taxation.

By Messrs. Yarbrough (Randolph), Shelton, Vann, Calvin, Moses, Goodwin, Little, Dyar, and Skidmore:

S. 200. To amend Section 179, Title 51, Code of Alabama 1940, as follows:

Committee on Finance and Taxation.

By Messrs. Yarbrough (Randolph), Shelton, Vann, Calvin, Moses, Goodwin, Little, Dyar, and Skidmore:

S. 201. To amend Section 180, Title 51, Code of Alabama 1940 as amended by Act No. 519, H. 212, General Acts of Alabama 1943, page 487.

Committee on Finance and Taxation.

By Messrs. Yarbrough (Randolph), Shelton, Vann, Calvin, Moses, Goodwin, Little, Dyar, and Skidmore:

S. 202. To amend Section 182, Title 51, Code of Alabama 1940, as follows:

Committee on Finance and Taxation.

By Messrs. Cantrell, Leonard, Roberts, Grisham, and Newton:

S. 203. To define, regulate and license barbers, barber apprentices and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber apprentices, barber shops, barber colleges and like businesses, to eliminate the operation of this act in certain counties, to prescribe penalties and punishment for the violation of this act.

Committee on Public Health.

By Mr. Roberts:

S. 204. To authorize the cities and towns of the State of Alabama to levy and collect annually a license and registration fee on automobiles and motor vehicles owned or operated by the residents of the corporate limits of the several cities and towns and their respective police jurisdictions and to provide that the funds derived therefrom shall be used exclusively for the construction, improvement and maintenance of streets and bridges and administrative expenses in connection therewith including the retirement of bonds for the payment of which such revenues may have been pledged, and for no other purpose.

Committee on Municipalities and Municipal Organizations.

By Mr. Roberts:

S. 205. To amend Section 129 of Title 2 of the Code of 1940 relating to permit fee.

Committee on Municipalities and Municipal Organizations.

By Mr. Roberts:

S. 206. Authorizing the several municipalities within this state to impose an excise tax on local exchange telephone service, in an amount not to exceed three (3) per cent on such service furnished within the corporate limits; providing that the tax shall be collected from the purchaser of such service; providing for certain exemptions; providing for the method and manner and time of collecting and remitting such tax; and providing when this act shall take effect.

Committee on Municipalities and Municipal Organizations.

By Messrs. Metcalf and Smith:

S. 207. To make it unlawful to possess or traffic in heroin in the State of Alabama, and to prescribe penalties for violations of this Act.

Committee on Judiciary.

By Messrs. Metcalf and Smith:

S. 208. To amend Sections 232, 238, 242, 243 and 255 of Title 22, Code of Alabama (1940), which relate to narcotic drugs and poisons.

Committee on Judiciary.

RESOLUTION

Messrs. Newton, Calvin, Givhan, Skidmore, Cantrell, Lamberth, Vann, Davis (Pickens), Hall, Bradford, Davis (Lowndes), Robison, Allen, Leonard, Grisham, Roberts, Little, Dyar, Yarbrough (Randolph), Tate, Flowers, Smith, Metcalf, Jones, Reeves, Cooper, Engelhardt, Yarbrough (Autauga), Van Antwerp, Goodwin, Moses, James, Boutwell and Shelton Offered the following Senate Joint Resolution, to-wit:

S. J. R. 20. RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That a committee of two be named, one by the President of the Senate and one by the Speaker, to make arrangements for, and to invite the Honorable Ernest Vandiver, Lieutenant Governor of the State of Georgia, to address a joint session of the two houses of the Legislature of Alabama, at a time to be fixed by such committee.

Which was read and referred to the Standing Committee on Rules.

MOTION TO RECESS ADOPTED

At 11:15 A. M., on motion of Mr. Cooper, the Senate took a recess for fifteen minutes.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Cooper	Flowers	Jones
Allen	Davis (Lowndes)	Givhan	Lamberth
Boutwell	Davis (Pickens)	Goodwin	Leonard
Bradford	Dyar	Grisham	Little
Calvin	Eddins	Hall	Metcalf
Cantrell	Engelhardt	James	Moses

Newton
Reeves
Roberts

Robison
Shelton
Skidmore

Smith
Tate
Van Antwerp

Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—35

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 19. Opposing the proposed change of name and function of the Bureau of Apprenticeship in the U. S. Department of Labor; opposing the authorization of funds in connection with establishment of a division of training; and urging development of the training program in the several states.

And said Resolution was then adopted by the Senate.

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in session, had acted on the following Senate Joint Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. J. R. 20. Appointing a committee to invite the Honorable Ernest Vandiver, Lieutenant Governor of the State of Georgia, to address a joint session of the Legislature.

and said Resolution was then adopted by the Senate.

RESOLUTION

Messrs. Robison, Engelhardt, Calvin, Davis (Lowndes), Yarbrough (Autauga), Smith, Givhan, Hall, Eddins, Davis (Pickens), Cooper, and Tate offered the following Senate Joint Resolution, to-wit:

S. J. R. 21. Whereas the white and colored people of Alabama, without strife and turmoil, have jointly advanced in material and cultural wealth under our traditional policy of racial separation, a policy which is embodied in the duly enacted laws of this State and which, until recently, was affirmed and re-affirmed by the United States Supreme Court; and

Whereas the maintenance of a policy of racial separation has been conducive to peaceful and harmonious race relations in this State, and is recognized as desirable by the great majority of both our white and our colored citizens; and

Whereas the recent attacks on our traditional way of life appear to be the result of a planned attempt on the part of a certain undesirable, irresponsible element in our society to subvert and destroy the established social order of this State; and

Whereas attempts to break down our traditional way of life have resulted, and can only result, in racial turmoil, strife, and tension, to the irreparable harm of the people of this State; and

Whereas it is necessary to peace and harmony, and to the general welfare of this State, that as much information as possible be brought to light as to the causes, purposes, and objects of this plot against our established way of life, as to the persons, organizations, or associations responsible for such attacks, and as to ways and means whereby our existing social order, our traditional institutions and way of life, may best be preserved and maintained; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. That there shall be a special joint legislative committee, to be composed of three representatives elected by the members of the House, three senators elected by the members of the Senate, and the President of the Senate and the Speaker of the House as ex officio members.

2. That the committee is hereby authorized and directed to hold meetings, study, make investigations and inquiries, and to make a report to each house as to their findings and recommendations in regard to the causes, purposes, and objects of the recent attacks upon our traditional policy of racial separation, the persons, organizations, or associations responsible for such attacks, and the ways and means whereby our existing social institutions and way of life may best be preserved and maintained.

3. That the committee shall have power and authority to subpoena witnesses and records, and authority to administer oaths to witnesses and require testimony to be reduced to writing.

4. That the committee members shall receive their regular per diem and expenses for each day devoted to the work of the committee during any recess of the Legislature during which members of the Legislature do not receive their per diem and expenses.

5. That the committee file its report with each House of the Legislature within forty days after the election of the members of the committee.

Which was read and referred to the Standing Committee on Rules.

Mr. Lamberth offered the following Senate Resolution, to-wit:

S. R. 22. Resolved by the Senate that the Secretary of the Senate be allowed to appoint five additional stenographers.

Which was read and referred to the Standing Committee on Rules.

MOTION TO RECESS ADOPTED

At 11:45 A. M., on motion of Mr. Bradford, the Senate took a recess for fifteen minutes.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

REPORT FROM RULES

Mr. Leonard, Chairman of the Standing Committee on Rules, reported that said Committee, in Session, had acted on the following Senate Resolution and ordered same returned to the Senate with a favorable report, to-wit:

S. R. 22. Resolved by the Senate that the Secretary of the Senate be allowed to appoint five additional stenographers.

And said Resolution was then adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 18. Relative to adjournment of the two Houses to meet again on Tuesday, May 28th, 1957 at 12 o'clock A. M.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the Sixth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Sixth legislative day approved by the Senate.

ADJOURNMENT

At 11:55 A. M., on motion of Mr. Cooper and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday, May 28, 1957 at 12 o'clock Noon.

SEVENTH LEGISLATIVE DAY

TUESDAY, MAY 28, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend E. Tipton Carroll, Minister, Cloverdale Christian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Calvin	Davis (Pickens)	Flowers
Allen	Cantrell	Dyar	Givhan
Boutwell	Cooper	Eddins	Goodwin
Bradford	Davis (Lowndes)	Engelhardt	Grisham

Hall	Little	Roberts	Tate
James	Metcalf	Robison	Van Antwerp
Jones	Moses	Shelton	Vann
Lamberth	Newton	Skidmore	Yarbrough (<i>Autauga</i>)
Leonard	Reeves	Smith	Yarbrough (<i>Randolph</i>)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Metcalf and Smith:

S. 209. Further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drug and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act.

Committee on Judiciary.

By Messrs. Metcalf and Smith:

S. 210. To amend Section 258, Title 22, Code of Alabama (1940), which prescribes penalties for trafficking in marihuana.

Committee on Judiciary.

By Messrs. Givhan and Boutwell:

S. 211. To provide that adoptive parents of a child shall inherit from the child in the same manner as if the child had been born of lawful wedlock to the adoptive parents; to provide that an adopted child shall for all purposes of inheritance and succession and all legal consequences be considered the natural legitimate child of its adoptive parents; to provide for the descent and distribution of property of an adopted child dying intestate.

Committee on Judiciary.

Bq Mr. Givhan:

S. 212. To amend further Section 38 of Title 8, Code of Alabama (1940), which relates to licenses for fishing by residents.

Committee on Judiciary.

By Messrs. Skidmore and Bradford:

S. 213. To make an appropriation from the Oil and Gas Trust Fund to the University of Alabama for the purpose of constructing a building to house and quarter the records, offices and facilities of the State Oil and Gas Board.

Committee on Finance and Taxation.

By Mr. Davis (Lowndes):

S. 214. To further amend Section 52 of Title 36, Code of Alabama, 1940.

Committee on Judiciary.

By Mr. Cooper:

S. 215. To amend Section 40 of Title 36, Code of Alabama (1940), as amended which relates to lighting equipment required on motor vehicles.

Committee on Judiciary.

By Messrs. Cooper and Roberts:

S. 216. To amend Section 466 of Title 37 of the Code of Alabama of 1940.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 217. To further amend Section 402(17), Title 37, of the Code of Alabama 1940, which was last amended by Act No. 116, of the General Acts of Alabama 1956, relating to the board of directors of municipal corporations for the purpose of owning, operating and financing water, sewer, gas and electric systems.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 218. To further amend Section 402(30) of Title 37 of the Code of Alabama of 1940 relating to the members and organization of a Board of Water and Sewer Commissioners, which said section was last amended by Act No. 114, approved April 14, 1956, (Acts of 1956, Vol. I, pages 440-441).

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 219. To amend further Section 397 of Title 37 of the Code of Alabama 1940 relating to Board of Directors.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 220. To amend further Section 462 of Title 37 of the Code of 1940 relating to publication and recording of ordinances.

Committee on Municipalities and Municipal Organizations.

RECESS

At 12:55 P. M., on motion of Mr. Bradford, the Senate took a recess until 2:15 o'clock this afternoon.

Yeas 21; Nays 12.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Moses
Allen	Dyar	James	Newton
Boutwell	Eddins	Jones	Roberts
Bradford	Engelhardt	Lamberth	Tate
Cooper	Flowers	Leonard	Yarbrough (Autauga)
Davis (Lowndes)	Givhan		—21

Nays:

Messrs.:	Metcalf	Shelton	Van Antwerp
Calvin	Reeves	Skidmore	Vann
Cantrell	Robison	Smith	Yarbrough (Randolph)
Grisham			—12

AFTERNOON SESSION
SEVENTH LEGISLATIVE DAY
TUESDAY, MAY 28, 1957

The Senate reassembled at 2:15 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

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INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Cooper and Roberts:

S. 221. To amend Section 255 of Title 37 of the Code of Alabama of 1940.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 222. To amend Sections 341, 342, 344, 345, 347, 349 and 351 of Title 37 of the Code of Alabama of 1940.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 223. To amend Sections 2 and 6 of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama pertaining to public corporations organized in municipalities for water, sewer, gas and electric purposes, or any of them, so as to provide that any similar corporation in existence under any other law may amend its certificate of incorporation for the purpose of coming under the provisions of said Act No. 175, and so as to make further provision respecting the vesting in the applicable municipality of title to a system owned by any public corporation organized under said act or whose certificate of incorporation is amended thereunder, and so as to provide that more than one corporation may be in existence at the same time in the same municipality under the provisions of said act.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts and Flowers:

S. 224. To amend Section 135 of Title 37 of the Code of Alabama of 1940, as heretofore amended, to further provide for extending the corporate limits and boundaries of incorporated municipalities, and to repeal Sections 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, and 167 of Title 37 of the Code of Alabama, 1940.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 225. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 226. To amend Section 445 of Title 37 of the Code of 1940 relating to the employment of an expert accountant for the annual examination of the books and accounts of municipal officials.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts and Flowers:

S. 227. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts and Flowers:

S. 228. To authorize municipal corporations of the state to charge a higher rate for water, gas, and electricity, use of sewerage, and for services, rendered beyond the corporate limits.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 229. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution..

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Cooper, Roberts and Flowers:

S. 230. To confer on each incorporated municipality in this state having a population of less than 6,000 inhabitants according to the last preceding or any subsequent federal census or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such incorporated municipality and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such incorporated municipality; to confer on each such incorporated municipality the same powers to assess the cost of any such improvements, whether constructed within the incorporated municipality or outside the municipality and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such incorporated municipality or outside such municipality and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such incorporated municipality of the cost of such improvements constructed in such municipality; to confer on each such municipality the power to finance any such improvements, con-

structed outside the incorporated municipality and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 231. To amend Section 504 of Title 37 of the Code of 1940 relating to statements, claims, or demands for injury filed:

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Roberts and Robison:

S. 232. To amend Section 26 of Title 29 of the Code of 1940 relating to filing of applications for licenses.

Committee on Municipalities and Municipal Organizations.

By Mr. Metcalf:

S. 233. To provide for the organization by the officers of the organized militia of a state association of such officers and to prescribe the powers and duties of such association.

Committee on Military.

By Mr. Metcalf:

S. 234. Relating to the composition of the militia of the State.

Committee on Military.

By Mr. Newton:

S. 235. To amend Section 103 of Title 51, Code of Alabama (1940), which relates to the duties of county boards of equalization and the authority of agents or representatives of the Department of Revenue assigned to any county or counties for the purpose of advising with such boards.

Committee on Finance and Taxation.

By Messrs. Allen, Smith, Davis (Pickens), Leonard, Grisham and Little:

S. 236. To amend further Section 704 of Title 51, Code of Alabama 1940, which relates to the assessment and collection of ad valorem taxes on motor vehicles.

Committee on Finance and Taxation.

By Mr. Roberts:

S. 237. To prohibit the making, drawing, uttering or delivering of a worthless check, draft, or order for the payment of money, and to fix the punishment for violations of this Act, and to prescribe rules of evidence and presumptions in civil actions for damages against any person who arrests or causes the arrest and prosecution of any person under the provisions of this Act, and to repeal conflicting laws.

Committee on Judiciary.

By Mr. Robison:

S. 238. To amend Act No. 1, Section 32, approved May 22, 1945 which relates to Oil and Gas Fund.

Committee on Finance and Taxation.

By Mr. Tate:

S. 239. To protect the grantors of certain interests in oil and gas in Alabama; providing for the forfeiture by non-user of certain optional oil and gas leases, requiring producers of oil and gas to inform royalty

owners of certain activities relative to their production operations; requiring prompt payment of royalties from the production of oil and gas; and prescribing penalties.

Committee on Forestry and Conservation.

By Mr. Tate:

S. 240. To require the installation of meters or other measuring devices on all producing oil or gas wells, or as near thereto as practicable; to authorize and direct the State Oil and Gas Board to inspect, approve and seal such meters; to have such meters read each month and the readings thereof or information gained thereby published in a newspaper of general circulation in the area of the producing field; and to prescribe penalties.

Committee on Forestry and Conservation.

By Messrs. Tate, Davis (Lowndes), Yarbrough (Autauga), and Boutwell:

S. 241. To amend Sections 36, 39, 40, 41, 54, 59, 71, 115, 117, 119, 140, 161, 162, 172, 188, 191, and 198 and to repeal Sections 47, 48, 158, 159, 184, 185, 190, and 201, of Title 35, Code of Alabama 1940, as amended, all of which relate to military and naval affairs of the State of Alabama.

Committee on Military.

RESOLUTION

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 23. BE IT RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Friday, May 31st, 1957, at 10:00 o'clock A. M.

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Goodwyn:

H. 142. To provide for the voiding of State warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Also:

By Messrs. Hawkins and Thomas:

H. 217. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate standing committee, as follows:

H.B.'s 142 and 217—to the Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the standing committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Johnson (Elmore) (With Notice and Proof):

H. 213. To provide for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County, Alabama, and to provide for their compensation and allowances of expenses.

By Mr. Ashworth (With Notice and Proof):

H. 21. Relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

MOTION TO ADJOURN LOST

At 3:10 P. M., Mr. Bradford moved that the Senate adjourn until Friday, May 31, at 10 o'clock A. M., which motion was lost.

Yeas 12; Nays 21.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Bradford	Engelhardt	Little	Yarbrough (Autauga)
Cooper	Givhan	Newton	Yarbrough (Randolph)
Davis (Pickens)			—12

Nays:

Messrs.:	Flowers	Lamberth	Robison
Allen	Goodwin	Metcalf	Shelton
Boutwell	Grisham	Moses	Skidmore
Calvin	Hall	Reeves	Van Antwerp
Cantrell	James	Roberts	Vann
Davis (Lowndes)	Jones		—21

RESOLUTION

Messrs. Boutwell, Allen and Robison offered the following Senate Joint Resolution, to-wit:

S. J. R. 24. Whereas The Honorable Luther Patrick has passed away as a result of a prolonged and crippling illness; and

Whereas Luther Patrick had served the people of this State honorably, faithfully, and ably throughout a long career of public service, which included service, first, as a teacher in the rural schools of North Alabama, as an assistant attorney general of the State, as an assistant United States Attorney for the Northern District of Alabama, as delegate to the Democratic National Convention and as the representative of this State's Ninth Congressional District in the Congress of the United States for four terms; and

Whereas Luther Patrick, lawyer, author and poet was widely known and respected in this State, and his courage in maintaining his wit and amiability, and in continuing to conduct an active law practice and to participate in the civic affairs of his home city of Birmingham, in spite of the crippling nature of his long illness, endeared him to all who knew him and served as a great inspiration to his fellow man; and

Whereas the members of the Legislature wish to pay honor to this outstanding citizen of our State; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature do hereby take official notice of the passing of The Honorable Luther Patrick, and do hereby express their deep regret at his passing and extend their sincere sympathy to the surviving members of his family.

Be it resolved, further, that the Secretary of State is requested to transmit a copy of this resolution to the bereaved widow.

On motion of Mr. Boutwell, the Rules were suspended and the Resolution was adopted by the Senate.

MOTION TO ADJOURN LOST

At 3:40 P. M., Mr. Bradford moved that the Senate do now adjourn until Friday, May 31, at 10 o'clock A. M., which motion was lost.

Yeas 11; Nays 19.

Yeas:

Messrs.:	Davis (Pickens)	Engelhardt	Newton
Bradford	Dyar	Leonard	Tate
Cooper	Eddins	Little	Yarbrough (Autauga)
			—11

Nays:

Messrs.:	Flowers	James	Robison
Allen	Givhan	Lamberth	Skidmore
Boutwell	Goodwin	Metcalf	Smith
Calvin	Grisham	Moses	Vann
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
			—19

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 23. Relative to adjournment of the two Houses to meet again on Friday, May 31st, 1957, at 10 o'clock A. M.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the seventh legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the seventh legislative day approved by the Senate.

ADJOURNMENT

At 4:10 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Friday, May 31st, at 10 o'clock A. M.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Roberts
Allen	Dyar	James	Shelton
Bradford	Eddins	Lamberth	Tate
Cantrell	Engelhardt	Leonard	Yarbrough (Autauga)
Cooper	Givhan	Newton	Yarbrough (Randolph)
			—19

Nays:

Messrs.:	Flowers	Moses	Skidmore
Boutwell	Goodwin	Reeves	Smith
Calvin	Grisham	Robison	Vann
Davis (Lowndes)			—12

EIGHTH LEGISLATIVE DAY

FRIDAY, MAY 31, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Alfred L. Bixler, Minister, Memorial Presbyterian Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 51. To validate in certain cases elections heretofore held in school districts and counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution, or for the purpose of authorizing any such tax and the consolidation of school districts.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Engelhardt, Davis (Lowndes), Davis (Pickens), Hall, Eddins, Givhan and Boutwell:

S. 242. To require the labelling of human blood taken and stored for future use; prescribing penalties.

Committee on Judiciary.

By Mr. Flowers:

S. 243. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY TO THE LEGISLATURE OF
ALABAMA, AT ITS NEXT REGULAR SESSION, FOR THE
PASSAGE OF A LOCAL ACT

Notice is hereby given that an application will be made to the Legislature of Alabama, at its next regular session, for the passage of the following identified local act, viz:

AN ACT

To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Education of Houston County is hereby authorized and directed to determine and fix the annual salary of the Superintendent of Education, commencing at the beginning of the next term of office.

Section 2. All laws and parts of laws, general or local, in conflict with any of the provisions of this act are hereby expressly repealed.

Section 3. This act shall become effective upon its passage by the Legislature and its approval by the Governor, or when it may otherwise become law.

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is General Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: April 16, 23, 30, May 7, 1957: in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 9th day of May, 1957.

B. WALLACE MILLER,
Notary Public.

By Mr. Flowers:

S. 244. To amend further Act No. 46, H. 36, approved April 6, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof by amending Sections 1, 6, 7, 8, 11 and 13 of said Act.

Committee on Agriculture.

By Messrs. Roberts, Flowers, Lamberth, Allen, and Metcalf:

S. 245. To propose an amendment to Section 177, Article VIII of the Constitution of Alabama, to provide that citizens eighteen years of age or older shall be electors.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Roberts, Flowers, Lamberth, Allen and Metcalf:

S. 246. To amend further Section 12 of Title 17, Code of Alabama (1940), which relates to the qualifications of electors.

Committee on Privileges and Elections.

By Mr. Shelton:

S. 247. To direct the board of trustees of the Alabama State Hospitals to establish or contract for hospital or clinical facilities for the proper care of alcoholics; authorizing the commitment of alcoholics to such facilities, prescribing procedures for such commitment, and procedures for release; requiring alcoholics or certain of their relatives, if financially able, to pay the cost of care in this facility and providing that the cost of care of indigent patients shall be paid by the State; authorizing the appointment of a guardian ad interim of the estate of any alcoholic committed to the hospital or clinical facilities hereby provided; imposing certain duties on the judges of probate and the Superintendent of the Alabama State Hospitals and making an appropriation.

Committee on Finance and Taxation.

By Mr. Shelton:

S. 248. To create the University System of Alabama, which shall be composed of the state institutions of higher learning in this State, and to prescribe the method for appropriating funds for the support thereof; to provide for the creation of a body corporate, to be known as the Board of Regents of the University System of Alabama, which shall be charged with responsibility for the government of the state institutions of higher learning; to prescribe the powers, duties, and authority of the Board of Regents of the University System of Alabama; to abolish the boards of trustees of the University of Alabama, the Alabama Polytechnic Institute, and Alabama College; and to transfer to the Board of Regents the powers, duties, authority, rights, privileges, and responsibilities originally conferred upon and exercised by the boards of trustees of the University of Alabama, the Alabama Polytechnic Institute, and Alabama College, and the State Board of Education in regard to other state institutions of higher learning.

Committee on Education.

By Mr. Shelton:

S. 249. To propose an amendment to the Constitution of Alabama to authorize the Legislature to consolidate the institutions of higher learning of this State into a unified university system, under the supervision and control of a single governing board or body.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Moses, Cantrell, Leonard, Metcalf, Newton, Roberts, Allen, Jones, Lamberth, Van Antwerp, Flowers, and Goodwin:

S. 250. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering and nursing.

Committee on Finance and Taxation.

By Mr. Davis (Pickens):

S. 251. To prohibit counties from incurring a debt during any fiscal year in excess of an amount equal to ten percent of the county revenue for the preceding year without the approval of the qualified electors of the county.

Committee on Finance and Taxation.

By Messrs. Cooper and Roberts:

S. 252. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper and Roberts:

S. 253. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Committee on Municipalities and Municipal Organizations.

By Messrs. Cooper, Lamberth, Yarbrough (Randolph), Flowers, Van Antwerp, Yarbrough (Autauga), Goodwin, Roberts, Eddins, Allen, and Davis (Lowndes):

S. 254. To amend further Section 705 of Title 51, Code of Alabama (1940), which relates to the placement of tags on motor vehicles; providing for the use of only one tag, and for the placement thereof.

Committee on Judiciary.

By Mr. Van Antwerp:

S. 255. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created, and shall be established on the first Monday after the second Tuesday in January, 1961, the county commission of Mobile County, which shall be in lieu of the board of revenue and road commissioners of Mobile County and shall be composed of a president and two associate commissioners. The board of revenue and road commissioners is continued as the governing body of the county un-

til the county commission is established as provided in this act. Upon the establishment of the county commission, the board of revenue and road commissioners shall be abolished.

Section 2. (a) Members of the commission shall be elected at the general election to be held in November, 1960, and every four years thereafter, by the qualified electors of the entire county. In all primary and general elections held to choose members of the commission, the ballots shall separately designate and specify the places on such commission by number, and each candidate shall designate in the announcement of his candidacy the number of the place for which he is a candidate. Members of the commission must be qualified electors of Mobile County, but commissioner number one must be a resident of the City of Mobile and commissioner number two must be a resident of the territory lying outside the corporate limits of the City of Mobile. Commissioner number three may reside any place within the county. The members so elected shall hold office for terms of four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified.

(b) Every four years, the members of the commission shall elect one of their number as president of the commission at the first regular meeting held after their taking office. The person so elected shall serve as president during his term as a member of the commission, and until his successor is elected and qualified. Vacancies on the commission shall be filled by appointment by the Governor, but the office of president of the commission shall be filled by the members thereof.

Section 3. Except as otherwise provided in this Act, the county commission of Mobile County shall have all the jurisdiction and powers which are or may hereafter be by law vested in the courts of county commissioners, boards of revenue, or other county governing bodies of this State; and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for the members of courts of county commissioners, boards of revenue, or other county governing bodies of this State.

Section 4. The president of the commission shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the commission, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other member of the commission shall be designated by an appropriate resolution of the board so to do; and it shall be his duty to receive and prepare business and obtain information for the sessions of the commission, to see to the execution of all orders thereof, and to report to the commission all infractions of the revenue law in the county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the judge of probate as to matters coming before the court of county commissioners.

Section 5. The members of the county commission of Mobile County shall devote their full time to the discharge of their official duties. The president of the commission shall receive an annual salary of ten thousand dollars (\$10,000) and each associate commissioner shall receive an annual salary of nine thousand dollars (\$9,000). The salaries of the president and associate commissioners shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, as provided by law, and shall be their entire compensation for the services required of them by this Act.

Section 6. The county commission of Mobile County shall hold regular meetings on the second Monday of every month, and shall remain in

session until all business before them is disposed of; and the commissioners may hold such special meetings, upon the call of its president or the two associate commissioners, as may be necessary for the proper discharge of their duties. A majority of the commission shall constitute a quorum for the transaction of business. The commission shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read, and all minutes shall be open to public inspection at reasonable times.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached report appeared in the issue of The Mobile Press Apr. 18, 25, May 2, 9, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 20th day of May, 1957.

ALVIN A. JOHNSON,
Notary Public.

REPORTS OF COMMITTEES

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Thomas (With substitute):

H. 217. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose .

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 51. To validate in certain cases elections heretofore held in school districts and counties for the purpose of authorizing a special tax for any school purpose, or for school purposes generally, under the Constitution, or for the purpose of authorizing any such tax and the consolidation of school districts.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill, the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 25. BE IT RESOLVED By the Senate, the House concurring that when the two Houses adjourn today, they adjourn to meet again Tuesday, June 4th, 1957.

Which was adopted.

BILLS ON THIRD READING

The Bill:

H. 21. Relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Cooper
Davis (Lowndes)
Davis (Pickens)

Dyar
Eddins
Goodwin
Grisham
Hall
James

Leonard
Little
Metcalf
Roberts
Robison

Tate
Van Antwerp
Vann
Yarbrough (Autauga)
Yarbrough (Randolph)

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Kendall:

H. J. R. 19. WHEREAS David Lawrence, distinguished columnist and editor of the Magazine, U. S. News and World Report, will deliver the commencement address at the graduation exercises to be held at the University of Alabama on Sunday, June 2, 1957; and

WHEREAS David Lawrence has a profound knowledge of the constitutional principles upon which the government of our nation was founded, and has a deep understanding of the rights of the states in our Federal Union; and

WHEREAS David Lawrence, in an era of conflicting ideologies, displays a noteworthy ability to steer a straight course of factual reporting of events as they occur, is fair and impartial in his treatment of problems as they affect the various geographical areas of the United States, and never slants his writing either against or for the benefit of any section or area of our nation, but views matters as they are applicable to the United States of America as a whole; and

WHEREAS the people of Alabama deem it an honor and a privilege to have this distinguished journalist and editor deliver the commencement address at the forthcoming graduation exercises at the University of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. That the members of the Legislature do hereby commend David Lawrence for his fair, impartial, and thoroughly documented treatment of the news, and do hereby thank David Lawrence, on behalf of the people of Alabama, for visiting the State to deliver the commencement address at the graduation exercises of the University of Alabama.

2. That the Clerk of the House of Representatives cause duly authenticated copies of this resolution to be delivered to the members of the board of trustees of the University of Alabama, to Dr. J. H. Newman, interim president of the University of Alabama, and to Mr. Lawrence, at the University of Alabama, on Sunday, the second day of June.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution set out in the foregoing Message from the House was concurred in and adopted by the Senate.

MOTION TO ADJOURN LOST

At 11:15 A. M., Mr. Hall moved that the Senate do now adjourn until Tuesday, June 4, 1957, at 11 o'clock A. M., which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:
Allen
Cooper
Davis (Pickens)

Dyar
Eddins
Engelhardt
Flowers

Hall
James
Lamberth

Leonard
Newton
Roberts

Nays:

Messrs.:	Goodwin	Reeves	Smith
Boutwell	Grisham	Robison	Van Antwerp
Bradford	Little	Shelton	Yarbrough (<i>Autauga</i>)
Calvin	Metcalf	Skidmore	Yarbrough (<i>Randolph</i>)
Davis (<i>Lowndes</i>)	Moses		—17

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the eighth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the eighth legislative day approved by the Senate.

ADJOURNMENT

At 12:05 P. M., on motion of Mr. Newton, the Senate adjourned until Tuesday, June 4, 1957, at 11 o'clock A. M.

Yeas 16; Nays 15.

Yeas:

Messrs.:	Eddins	James	Little
Allen	Engelhardt	Jones	Newton
Cooper	Flowers	Lamberth	Roberts
Davis (<i>Pickens</i>)	Hall	Leonard	Tate
Dyar			—16

Nays:

Messrs.:	Davis (<i>Lowndes</i>)	Moses	Skidmore
Boutwell	Goodwin	Reeves	Smith
Bradford	Grisham	Robison	Yarbrough (<i>Autauga</i>)
Calvin	Metcalf	Shelton	Yarbrough (<i>Randolph</i>)
			—15

NINTH LEGISLATIVE DAY

Tuesday, June 4, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. R. H. Falwell, Pastor, Normandale Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORTS OF COMMITTEES

Mr. Lamberth Chairman of the Standing Committee on Finance and Taxation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Mr. Vann (with amendment):

S. 100. To make a deficiency appropriation from the general fund to the use and benefit of the State Board of Education to be used exclusively for vocational education.

RECESS

At 11:58 A. M., on motion of Mr. Cooper, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION

NINTH LEGISLATIVE DAY

Tuesday, June 4, 1957

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

MOTION TO RECESS LOST

At 3 o'clock P. M., Mr. Newton moved that the Senate take a recess for fifteen minutes, which motion was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Engelhardt	Hall	Newton
Cooper	Flowers	James	Tate
Davis (Pickens)	Givhan	Leonard	Vann
Eddins	Grisham	Little	

—14

Nays:

Messrs.:	Davis (Lowndes)	Reeves	Skidmore
Allen	Dyar	Roberts	Smith
Boutwell	Metcalf	Robison	Yarbrough (Autauga)
Bradford	Moses	Shelton	Yarbrough (Randolph)
Calvin			

—16

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Hawkins and Thomas:

H. J. R. 17. WHEREAS a grant of \$1,033,500 is available to the Board of Trustees of the University of Alabama to aid in constructing and equipping a health research building in the University Medical Center, provided the grant can be matched dollar for dollar by the board; and

WHEREAS this grant from the National Institute of Health, Public Health Service, Department of Health, Education and Welfare of the United States, will be withdrawn at an early date unless provision is made for its acceptance on the terms offered; and

WHEREAS the trustees of the University of Alabama can only meet the terms of the Government's offer by borrowing money and issuing and selling bonds on the credit of the University, without creating a debt against the State; and

WHEREAS the trustees of the University are ready, able, and willing to borrow the necessary funds to enable it to accomplish the purposes aforesaid, upon a reasonable assurance that the project is approved by the Legislature, and that the amount required each year to service the debt created by the trustees will be financed by future appropriations from any funds in the state treasury not otherwise appropriated; now therefore be it

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the trustees of the University are urged to undertake the project herein referred to; that this body hereby records its approval of the undertaking, and hereby commits itself, insofar as it has power, to aid and assist the trustees to liquidate the debt incurred thereby.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Calvin, the Rules were suspended and the Resolution, H. J. R. 17, set out in the foregoing message from the House, was concurred in and adopted by the Senate.

MOTION TO RECESS ADOPTED

At 3:20 P. M., Mr. Newton moved that the Senate take a recess for fifteen minutes, which motion was adopted.

Yeas 18; Nays 13.

Yeas:

Messrs.:	Dyar	Grisham	Little	
Boutwell	Eddins	Hall	Newton	
Bradford	Engelhardt	James	Smith	
Calvin	Givhan	Jones	Tate	
Davis (Pickens)	Goodwin	Leonard		—18

Nays:

Messrs.:	Flowers	Roberts	Skidmore	
Allen	Metcalf	Robison	Yarbrough (Autauga)	
Cooper	Moses	Shelton	Yarbrough (Randolph)	
Davis (Lowndes)	Reeves			—13

The Recess Period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

BILLS ON THIRD READING

The Bill:

H. 217. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

Was taken up.

The Standing Committee on Finance and Taxation offered the following substitute for the Bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Trustees of the University of Alabama is hereby authorized to enter into a contract with the Housing Authority of the Birmingham District or other agency or instrumentality to acquire the real estate consisting of ten and one-half city blocks known as the

Medical Center Project, UR Alabama 1-1, and lying to the west of the Medical Center of the University of Alabama in Jefferson County at a total cost of not exceeding two million seven hundred fifty six thousand six hundred dollars (\$2,756,600) and to develop such real estate as a State Health Center. The Board shall have power and authority to execute a vendor's lien, mortgage or deed of trust upon the property acquired or to be acquired, and such vendor's lien, mortgage or deed shall be admitted to record without the payment of any tax or fees except the cost of recording as prescribed by law.

Section 2. The sum of one hundred thousand dollars (\$100,000) is hereby appropriated from any funds in the state treasury not otherwise appropriated to the use of the Board of Trustees of the University of Alabama for the purpose herein mentioned. The proceeds of any sale or lease of any part of the said real estate shall be used by said Board of Trustees solely for payment on the purchase price of the real estate and debt service thereon. No payment on the purchase price of said real estate shall be made from any revenues or appropriations from the state not received during the fiscal year in which said payment is made. Any contract entered into by said Board of Trustees, under the terms of this act, shall not be a debt of the State of Alabama but shall be paid solely from current revenues and appropriations as aforesaid.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dyar	James	Roberts
Allen	Eddins	Jones	Robison
Boutwell	Engelhardt	Little	Shelton
Bradford	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Hall		—29

Nays:

—0

And said Bill, as amended by the substitute, was then read a third time at length and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Little	Skidmore
Bradford	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cantrell	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Reeves	Yarbrough (Randolph)
Davis (Pickens)	James	Roberts	—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolution, your signature thereto is requested.

H. 21. Relating to Bibb County, Alabama; levying a license tax on persons and others engaging in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Articles 10 and 11, as amended; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes.

Also:

H. J. R. 19. Relative to commending David Lawrence, Editor of the U. S. News and World Report for his fair and impartial treatment of the news and thanking him for visiting the State and delivering the commencement address at the University of Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Hare, Grouby, Steagall, Fite, Haltom, Brassell, Gilchrist, de-Graffenried, Nice, Selman, Albea, Edwards (Escambia), Law, Simon, Mathews, Tyson, Summerlin, Wood, Merrill, Perry, Cornett, Hodges, Brannan, Ward, Crook, Money, Brooks, Ferrell, Oden, Dickson, Goodwyn, Stokes, Pirkle, Love, Brown (Lee), Murphy, Huddleston, Roberts, McLendon, Hain, Dement, Nolen, McNider, Bradford, Kelly,

Reynolds, Hawkins, Lee (Lawrence), Stenbridge, Jenkins, Rodgers, Lackey, Locke (Choctaw), Branyon, Mathison, Davis and Vacca:

H. 14. To provide rules and prescribe forms governing procedure and practice in the circuit court and courts of full like jurisdiction and in any other court whose judgments, orders, or decrees are appealable directly to the Supreme Court or to the Court of Appeals, in actions and suits of a civil nature, whether cognizable at law or in equity.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 14—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Perry, Selman, Callahan, Branyon, and Kaul:

H. 85. To amend Section 29 of an act known as the "Alabama Coal Mine Safety Law of 1949" (Act No. 207, S. 134, Acts of Alabama, Regular Session 1949, p. 242), to provide for the use of millisecond blasting in conformity with the requirements prescribed by the Bureau of Mines of the United States Department of the Interior.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 85—to the Committee on Mining and Manufacturing

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Ferrell

H. 257. To Alter or re-arrange the boundary lines of the Town of Rainsville, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Notice is hereby given that a bill will be introduced and an effort made to secure its enactment into law at the next regular session of the

Legislature of Alabama which convenes on May 7, 1957, to alter and re-arrange the boundary lines of the Town of Rainsville, Alabama. Said bill in substances as follows:

To Alter or re-arrange the boundary lines of the Town of Rainsville, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

Be It Enacted by the Legislature of Alabama:

Section One: That the boundary lines and corporate limits of the Town of Rainsville, Alabama, in DeKalb County, be and the same are hereby extended, altered and re-arranged by adding to the corporate limits of the Town of Rainsville, in addition to the present territory within said corporate limits, the following described territory, to-wit:

Commencing on the present town limits of Rainsville, DeKalb County, Alabama at the Northwest corner of the Northwest Fourth of the Southeast Fourth of Section 24, Township 6, Range 7 East of the Huntsville Meridian; run West 2640 feet; thence North 2640 feet; thence East 2640 feet; thence South 1320 feet; thence East 3960 feet; thence North 1320 feet; thence East 1320 feet; thence South 5280; thence East 2640 feet; thence South 1320 feet; thence East 1320 feet; thence South 1320 feet; thence East 1320 feet; thence South 1320 feet; thence West 2640 feet; thence North 1320 feet; thence West 66000 feet; thence South 2640 feet, thence West 2640 feet; thence North 2640 feet; thence East 1320 feet; thence North 3960 feet and to the present town limits of Rainsville at the Southwest Corner of the Northwest Fourth of the Southwest Fourth of Section 24, Township 6 Range 7 East; thence with the present town limits to the point of beginning as follows: East 1320 feet; South 2640 feet; East 1320 feet; thence North 1320 feet; thence East 1320 feet; thence North 2640 feet and West 3960 feet.

Section Two: That all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Section Three: This act shall take effect immediately upon its passage and approval of the Governor, or its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Bobby R. Day, publisher of Fort Payne Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of 4-22, 29; 5-6, 13, 1957.

BOBBY R. DAY,
Publisher.

Sworn to and subscribed before me this 16 day of May, 1957.

JOE E. THOMPSON,
Notary Public.

My Commission expires Aug. 16, 1958.

(Seal)

Also:

By Mr. Ferrell:

H. 256. Relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads

and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LEGISLATION

Notice is hereby given that a Local Act, Law, or Bill will be introduced in the Legislature of Alabama, at the next Session beginning in May 1957, for the purpose of and in substance as follows:

An-ACT Relating to the construction, maintenance and repair of the County Roads and Bridges of DeKalb County, Alabama; Providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the County and the Officials thereof, of certain duties in regard thereto; providing for the transfer by the County and its Officials to the State Highway Department of the funds including DeKalb County proportionate share of the State gasoline tax, the County 1 cent tax on gasoline, State motor vehicle license tax allocated to the County, and any and all funds belonging to the County specially for the maintenance of roads and bridges, supplies, machinery and materials for the construction, maintenance and repair of County Roads and bridges, and for persons now employed by the County on roads and bridges, may be continued in service by the State Highway Department, in its discretion, until January 1, 1959, without regard to the State Merit System; and for the repealing of all Laws and Acts, special and general in conflict therewith.

4-22-4tJ

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Bobby R. Day, publisher of Fort Payne Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of 4-22, 29; 5-6, 13, 1957.

BOBBY R. DAY,
Publisher.

Sworn to and subscribed before me this 16 day of May, 1957.

JOE E. THOMPSON,
Notary Public.

My Commission expires Aug. 16, 1958.

(Seal)

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 257 and 256—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Vacca:

H. 90. To amend Section 12, Title 51, Code of Alabama 1940, relating to Young Men's Christian Associations

Also:

By Messrs. deGraffenried and Callahan:

H. 245. To amend further Section 753 of Title 51, Code of Alabama of 1940, which relates to the rate of sales tax.

Also:

By Mr. Goodwyn:

H. 141. Relating to the destruction of public records; authorizing the State Treasurer to destroy cancelled state warrants which have been on file in his office for seven years or more, and to destroy the journals pertaining to such old warrants.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 90 and 245—to the Committee on Finance and Taxation

H. B. 141—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Gist, Harrison, Brassell and Speaks:

H. 199. To amend Section 3, of Title 54, Code of Alabama, 1940, which provides for the salary of Deputy Sheriffs,

Also:

By Messrs. Speaks, Gist, Harrison and Brassell:

H. 200. To amend Act No. 593, approved September 19, 1949, which authorized the county governing body of the several counties to purchase equipment or supplies and pay for services performed for the sheriff reasonably necessary for the suppression of crime, the apprehension of criminals, or the performance of the sheriff's duties.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 199 and 200—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 106. To fix the compensation of certain officers of counties having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Martin:

H. 73. To provide for a uniform procedure with respect to the issuance and handling of executions for the collection of any and all taxes by the Department of Revenue; to repeal every provision of law requiring the Sheriff to file a copy of an execution issued by the Department of Revenue with either the Probate Judge or with the Clerk of the Circuit Court of his County; to repeal all laws or parts of laws in conflict with the provisions of this Act; and to provide for the effective date of this Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 73—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Locke (Choctaw), Hanby, Wood and Oden:

H. 37. Levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interest in non-producing oil, gas or other minerals, as herein defined; exempting from all ad valorem taxation all such interests hereinafter created or transferred or hereinafter registered; and repealing Act No. 534 of the Laws of Alabama of 1953.

Also:

By Mr. Branyon:

H. 259. To apply in but only in counties having a population of not less than 19,200 inhabitants, nor more than 20,200, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties, by whatever name called or designated, to fix the compensation of deputies sheriff.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 37—to the Committee on Finance and Taxation

H. 259—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Merrill:

H. 29. To validate and confirm certain decrees heretofore rendered in adoption proceedings.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 29—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Brown (Lamar):

H. 293. To fix the compensation of the county superintendent of education in all counties having a population of not more than 16,475 nor less than 16,075, according to the last or any subsequent federal decennial census.

Also:

By Messrs. McKay and Payne:

H. 313. Relating to Talladega County: To authorize the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide clerk-hire allowances for certain county officers.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County: To authorize the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide clerk-hire allowances for certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Talladega County is hereby authorized and empowered to expend from the general fund of the county, in addition to all other sums now provided by law, any amounts deemed to be reasonable and necessary by the said county governing body for the efficient operation of the offices of the judge of probate, tax assessor, tax collector, sheriff, clerk of the circuit court, register of the circuit court, coroner, and any other officer whose salary or other compensation is paid in whole or in part by Talladega County, for increasing the salaries or compensation of the clerks, deputies, and assistants in said offices, and for employing additional help in said offices.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

G. K. LEONARD
Senator
L. N. Payne
Representative
C. W. McKAY, JR.
Representative

A25 4tc

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the SYLACAUGA ADVANCE a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: April 25, 1957, May 2, 1957, May 9, 1957, May 16, 1957.

W. A. MOODY.

Subscribed and sworn to before me this 20 day of May, 1957.

EUGENE D. BUTLER,
Notary Public.

Also:

By Messrs. Selman and Shumate:

H. 319. Relating to the county court of Walker County; to re-define the jurisdiction of said court, prescribe the powers and duties thereof,

provide for the selection, tenure, powers, duties, and compensation of its officers, and repeal conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF WALKER**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to the county court of Walker County; to re-define the jurisdiction of said court, prescribe the powers and duties thereof, provide for the selection, tenure, powers, duties, and compensation of its officers, and repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The county court of Walker County shall have the following power, authority, and jurisdiction:

(a) All power, authority, and jurisdiction which are now, or which hereafter may be, conferred on or vested in county courts under the general laws of this State.

(b) All power, authority, and jurisdiction which are now, or which hereafter may be, conferred on or vested in the juvenile court of Walker County, and the juvenile court of Walker County is hereby relieved of all such power, authority, and jurisdiction.

(c) Jurisdiction concurrent with justices of the peace in Walker County in matters pertaining to bastardy proceedings.

(d) All power, authority, and jurisdiction relating to domestic relations which are now, or which hereafter may be, conferred on or vested in the probate court of Walker County; or which is conferred on or vested in the probate court of Walker County under the provisions of Article 3 of Chapter 4 of Title 34, Code of Alabama (1940), or any other laws relating to the duties of a husband toward his wife or any parents toward their children, and that the county court shall have all the power, authority, and jurisdiction conferred on or vested in the probate court of Walker County under the provisions of Chapter 7 of Title 13, or any other laws relating to juvenile delinquents, probation officers, wards of the State, and dependent children; and the probate court of Walker County is hereby relieved of all such power, authority, and jurisdiction as may be conferred on or vested in the county court of Walker County under the provisions of this subsection.

(e) Jurisdiction concurrent with the circuit court of Walker County of all misdemeanors committed in the county.

(f) Jurisdiction concurrent with the circuit court of Walker County in all matters pertaining to habeas corpus proceedings instituted in Walker County, and in all matters pertaining to divorce proceedings held under the provisions of Chapter 2 of Title 24, Code of Alabama (1940).

Section 2. The judge of the county court of Walker County shall be elected at the general election to be held in November, 1958, and every six years thereafter, and neither the probate judge nor the judge of the

probate court of Walker County shall serve as judge of the county court. The judge of the county court shall hold office for a term of six years from the first Monday after the second Tuesday in January next following his election, and until his successor shall have been elected and qualified. The judge of the county court shall be a resident and qualified elector of Walker County, shall be a person learned in the law, and shall have been admitted to the practice of law in the State of Alabama. The judge of the county court shall receive a salary of seven thousand two hundred dollars (\$7,200.00) per annum, payable as a preferred claim in equal monthly installments out of the general fund of the county, which shall be in lieu, of all other compensation heretofore provided by law. The judge of the county court may be impeached or removed from office on the same grounds and in the same manner as may be provided for the impeachment or removal of judges of county courts under the general laws of this State.

Section 3. The judge of the county court of Walker County shall have the power and authority to administer oaths and take acknowledgments to conveyances and affidavits in all cases in which such oaths, acknowledgments, and affidavits are required by law, and to solemnize the rites of matrimony. Also, the judge of the county court shall have and exercise the power and authority which are now, or which hereafter may be, conferred on or vested in the judges of county courts under the general laws of this State, or which are conferred on or vested in the judge of the county court of Walker County.

Section 4. The judge of the county court shall at all reasonable times, when not otherwise engaged in the discharge of the duties of his office, occupy an office in the court house, which office shall be provided by Walker County; and it shall be unlawful for the judge of the county court to practice law or be connected in the practice of law with any lawyer or law firm, it being the duty of such judge to give his entire time to the discharge of the duties of his office.

Section 5. In all matters of controversy in which the county court is given equity jurisdiction concurrent with the circuit court of Walker County under the provisions of this Act, such matters shall be tried and determined in the same manner and under the same rules of practice and procedure as govern the circuit courts under the general laws of this State, and the county court shall have the power and authority to enforce its orders, judgments, and decrees in such cases in the same manner as the circuit courts under the general laws of this State. In all other cases, practice and procedure in the county court of Walker County shall conform to, and shall be governed by, the rules of practice and procedure which apply in county courts under the general laws of this State, or which apply in the county court of Walker County.

Section 6. In all cases in which the county court exercises equity jurisdiction concurrent with the circuit court under the provisions of this Act, appeals from any order, judgment, or decree of the county court may be taken to the supreme court and the court of appeals in the same manner, on the same grounds, and within the same times as such appeals may be taken from any order, judgment, or decree of the circuit court of Walker County.

Section 7. Except as may otherwise be provided herein, the judge of the county court shall determine what papers connected with any proceedings before him shall be recorded.

Section 8. In addition to any other duties imposed upon him by law, it shall be the duty of the county solicitor of Walker County to represent the State in all criminal and quasi-criminal cases in the county court of Walker County; to prosecute all criminal cases arising from indictments

transferred to the county court; and to represent the State in preliminary proceedings, applications for bail, and habeas corpus proceedings arising in the county court. The county solicitor shall receive a salary of four thousand eight hundred dollars (\$4,800.00) per annum, payable in equal monthly installments out of the general fund of the county, which shall be in lieu of all other compensation heretofore provided by law.

Section 9. The clerk of the circuit court of Walker County shall be ex officio clerk of the county court of Walker County. As clerk of the county court, he shall have the same power, jurisdiction, and authority and shall perform the same duties as may be conferred on, vested in, or required of the clerks of county courts under the general laws of the State, or conferred on, vested in, or required of the clerk of the county court of Walker County under the provisions of this Act. The clerk of the county court shall receive the same fees and compensation as allowed by law to clerks of the circuit courts in criminal cases, to be payable in the same manner.

Section 10. The Honorable Gerald D. Colvin, duly elected judge of the county court of Walker County as constituted prior to the passage of this Act, shall serve as judge of the county court of Walker County as constituted by this Act until his successor shall be elected and qualified in accordance with Section 2 of this Act.

Section 11. The clerk of the county court of Walker County shall be ex officio register of the county court, and in all matters in equity in the county court he shall have the same power, jurisdiction, and authority and shall perform the same duties, including the taking of decrees pro confesso and holding references, as may be conferred on, vested in, or required of the register of the circuit court of Walker County in such cases.

Section 12. The clerk of the county court of Walker County shall have the same power and authority and shall perform the same duties which are now, or which hereafter may be, conferred on, vested in, or required of the clerk of the juvenile and domestic relations court of Walker County, and the clerk of the juvenile and domestic relations court of Walker County is hereby relieved of such power and authority and the performance of such duties.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. In all criminal cases resulting in conviction in the county court of Walker County the defendant shall have the right of appeal to the Circuit Court of Walker County on entering into bond, with sufficient surety, to appear at the term of the court to which the appeal is taken, and from term to term until discharged; the bond to be in such penalty as the judge of the said county court of Walker County may prescribe, and to be approved by the judge or clerk of said court. If the defendant does not make the bond required he shall remain in custody and said defendant may within ten days after taking said appeal, demand in said circuit court, in writing, a trial by jury; otherwise, said case shall be tried by the court without a jury. All appeals must be taken within 30 days of conviction and no appeal shall be taken after defendant has accepted judgement of the court by paying any fine adjudged.

Section 15. All criminal, equity, juvenile, or domestic relations cases now pending in the county court of Walker County as constituted prior to the passage of this Act shall be deemed to be now pending in the county court of Walker County as constituted by this Act and in all cases in which the judge of the county court of Walker County as constituted prior to the passage of this Act had continuing authority said authority shall be continued in the county court of Walker County as constituted by this Act.

Section 16. Should for any reason any section, provision or clause of this Act be held to be unconstitutional or invalid, that fact shall not destroy the constitutionality of this Act except as to that clause or section.

Section 17. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Alonzo Shumate
T. K. Selman
Members House of Representatives,
State of Alabama.

4-25 4TC

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 25, 1957, May 2, 1957, May 9, 1957, and May 16, all in the year 1957.

BILL JONES.

Sworn to and subscribed before me May 20, 1957.

LATHAM G. SADDLER,
Notary Public.

Also:

By Messrs. Locke (Choctaw), Bradford, McNider, and Wood:

H. 338. To regulate further the office of circuit solicitor of the First Judicial Circuit of Alabama: Creating special funds for expenditure by the circuit solicitor in law enforcement and in the conduct of his office.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 293, 313 and 319—to the Committee on Local Legislation

H. B. 338—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Merrill:

H. 193. To authorize and require the State Board of Education to change the name of the normal schools or teachers colleges.

Also:

By Messrs. Hawkins and Martin:

H. 6. To amend Sections 1, 5 and 8 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 193—to the Committee on Education

H. 6—to the Committee on Judiciary

MOTION TO ADJOURN LOST

At 5:07 P. M., Mr. Cooper moved that the Senate do now adjourn until Friday, June 7, 1957 at 10 o'clock A. M., which motion was lost.

Yeas 5; Nays 24.

Yeas:

Messrs.:	Davis (Pickens)	Newton	Roberts	
Cooper	Leonard			--5

Nays:

Messrs.:	Engelhardt	Jones	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Goodwin	Moses	Tate
Calvin	Grisham	Reeves	Van Antwerp
Davis (Lowndes)	Hall	Robison	Yarbrough (Autauga)
Dyar	James	Shelton	Yarbrough (Randolph)
Eddins			—24

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Dawkins:

H. 135. To amend Section 5, Title 29, Code of Alabama 1940.

Also:

By Messrs. Martin, Lee (Barbour), Dement, Kendall, Ramey, Pruitt, Perry, Ferrell, Harvey, Vacca, Albea, Gregory, and Mathison:

H. 74. To amend Section 72, Title 45, Code of Alabama, which relates to payment of costs by Board of Corrections.

Also:

By Messrs. Martin, Lee (Barbour), Dement, Kendall, Ramey, Pruitt, Perry, Ferrell, Harvey, Vacca, Albea, Gregory, and Mathison:

H. 75. To amend further Section 325 of Title 15, Code of Alabama (1940), which relates to specifications of legal punishments.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 135—to the Committee on Temperance

H. B.'s 74 and 75—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Lee (Barbour), Boyd, Oakley, Nettles, Hall, Locke (Choc-taw), Hare, Taylor, Shumate, Payne, Mathews, Killough, Kendall, Albea, Windle, Ramey, Branyon, Martin, Steagall, Kirkham, Edwards (Escambia), Bassett, Mathison, Stokes, Merrill, McNider, Dickson, Lee (Lawrence), Ferrell, Thomas, Davis, Pruitt, Perry, Oden, Gist, Edwards (Jefferson), Ashworth, Harvey, Law, McKay, Summerlin, Reynolds, Hodges, Pirkle, Faulk, Holliman, Franklin, Brannan, Cornett, Hardy, Goodwyn, Lackey, Harrison, Crook, McLendon, Rodgers, Johnson (Tallapoosa), Bradford, Brooks, Solomon, Jenkins, Hunt, Gilmer, Kelly, Callahan, Hain, Brown, (Lamar), Nolen, Wood, Stembridge, Grouby, and Hawkins:

H. 18. To amend further Section 2 of Title 51 of the Code of Alabama, 1940, which relates to exemptions of persons and property from ad valorem taxation.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 18—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Goodwyn, Stokes, Tyson, Roberts, Brewer, Brown (Lee), Fite, Haltom, Broadfoot, Pruitt, Harrison, Merrill, Steagall, McKay, Hain, Hawkins, Simon, Lackey, Albea, Hall, Nolen, Kendall, Brannan, Brooks, Brassell, Murphy, Lee (Barbour), Burkhalter, Perry, Vacca, Selman, Dement and Nice:

H. 145. Relating to the compensation of circuit judges in Alabama

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 145—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Nice, Edwards (Jefferson), Perry, Roberts, Speaks, Gist, Vacca, Lee (Lawrence), and Boyd.

H. 82. Providing further for prevention, care, treatment and rehabilitation of alcoholics; authorizing the Commission on Education with Respect to Alcoholism to establish outpatient clinics for limited care and treatment of alcoholics; authorizing the use of hospital beds wherever accessible and certain psychiatric services for the hospitalization and care and treatment of alcoholics; providing for the appointment, duties and compensation of an administrator for the Commission, providing for the appointment, duties and compensation of personnel necessary to carry out the provisions of this Act; and the keeping of records, information and research incident thereto; directing the Commission to investigate the financial condition of alcoholics requesting care and treatment at any of the clinics or other hospitals where beds are accessible, and to assess and collect from any such person that portion of the cost of his or her care and treatment as he or she is financially able to pay; making appropriations for the purpose of carrying out the provisions of this Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 82—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 156. To repeal Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties."

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hall, Goodwyn, and Nolen:

H. 146. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL TO BE ENTITLED AN ACT

"To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, T. 16N, R. 18E, Montgomery County, Alabama.

"Be It Enacted by the Legislature of Alabama:

"Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be, and the same are hereby, altered, rearranged and extended so as to include within the corporate limits of said city that certain additional territory lying within the following described boundaries, to-wit:

"Commencing at the Northwest corner of Section 22, Township 16N, Range 18E, Montgomery County, Alabama, running thence East along the North section line of said Section 22 a distance of 1305 feet, thence running South to the North line of the Vaughan Road to a point 1305.4 feet East of the West section line of said Section 22, thence running West along the North line of the Vaughan Road a distance of 1305.4 feet to the West section line of said Section 22, thence running North along the West section line of said Section 22 to the point of beginning.

"Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law." Jnl. March 12-19-26, April 2.

Montgomery, Alabama

STATE OF ALABAMA MONTGOMERY COUNTY

Before me T. A. HARDY a Notary Public in and for the State and County aforesaid personally appeared P. W. Walsh who first being duly sworn according to law deposes and says that: he is Secretary for The Advertiser Company, publishers of The Alabama Journal and that the advertisement of An Act By The Legislature appeared in said publication on Mar. 12, 19, 26, April 2, 1956.

P. W. WALSH,
Secretary.

Sworn to and subscribed before me this 3 day of April 1956.

T. A. HARDY,
Notary Public Montgomery County Alabama.

Also:

By Mr. Brown (Lamar):

H. 357. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 16,075 nor more than 16,475, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Goodwyn, Hall, Nolen, and Dawkins:

H. 364. To amend further Act No. 691, S. 284, approved September 5, 1951 entitled "An Act To fix the compensation of court reporters, and providing for the payment thereof."

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 146, 357 and 364—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Callahan:

H. J. R. 18. WHEREAS, Mrs. Jane Strickler Denny, beloved wife of the late Dr. George H. Denny, died on May 24, 1957, and was buried in Lexington, Virginia, and;

WHEREAS, because of her love, devotion and inspiration to her husband during his long period of service as President of the University of Alabama, and because of her gracious manner and leadership in many public activities and projects in Alabama, the State will long reflect her contributions to its development;

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring, that we do hereby express our deep regret at the loss of this esteemed person, and extend our sympathy to the members of her family; and further, that a copy of this Resolution be spread upon the journals of the two houses.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 18, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 20. Relative to committee to be appointed to invite the Honorable Ernest Vandiver, Lieutenant Governor of Georgia to address a joint session of the two Houses.

And the Speaker of the House has appointed as a committee on the part of the House Honorable Homer Cornett.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

APPOINTMENT OF SENATE COMMITTEE

In accordance with the provisions of Senate Joint Resolution 20, the President and Presiding Officer of the Senate appointed Senator Little as Member to represent the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 24. Relative to expressing deep regret at the passing of The Honorable Luther Patrick and extending sincere sympathy to the surviving members of his family.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Harrison:

H. J. R. 16. Whereas Thomas Hewell Napier served as dean of Alabama College, at Montevallo, for approximately thirty years; and

Whereas Dean Napier served faithfully and well in his chosen field, many students having benefited by his wise advice and counsel; and

Whereas Dean Napier also served the field of education, and advanced its causes, through his efforts as member and officer of the Alabama Education Association, the Alabama Association of Colleges, the Southern Association of Colleges for Women, the Southern Association of Colleges and Secondary schools, the Board of Christian Education, North Alabama Conference, of the Methodist Church, as chairman of the Survey Commission on Methodist Education in Alabama, 1932-34, and as author of a number of books and articles on educational matters; and

Whereas the Legislature wishes to honor Dean Napier for his outstanding contribution to Alabama College, and to the cause of education in this State and the South; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the trustees of Alabama College are hereby authorized to name and designate the new men's dormitory on Oak Street in Montevallo, facing the quadrangle on the college campus, "Napier Hall," in honor of the said Thomas Hewell Napier.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Yarbrough (Autauga), the Rules were suspended and the Resolution, H. J. R. 16, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 19. Relative to opposing proposed change of name and function of the Bureau of Apprenticeship in the U. S. Department of Labor.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Dawkins, Branyon, Dement, Oden, Selman, Money, Gist, Speaks, Nettles, Oakley, Kirkham, Holliman, McNider, Bradford, Faulk, Grouby, Thomas, Kendall, Summerlin, Boyd, Nolen, Hall, Shumate, Fite, McClendon, Hunt, Brown (Lamar), Lee (Barbour), Martin, Harrison, Lee (Lawrence), Reynolds, Ramey, Pirkle, Hanby, Simon, Tyson, Locke (Choctaw):

H. J. R. 22. WHEREAS the Vocational Education teachers have been advised that they will be relieved of their duties June 13, 1957, through June 30, 1957; and

WHEREAS it is the intent of both Houses of the Legislature to provide the necessary funds for payment in full of the salaries of these valuable and conscientious teachers; now therefore

BE IT RESOLVED by the legislature of Alabama, Both Houses thereof concurring:

THAT Dr. A. R. Meadows, State Superintendent of Education, request the State Budget Officer of Alabama to release Federal funds available July 1, 1957, to the State Department of Education or so much thereof that is necessary to pay these public servants in full it being the intent of the Legislature to replace these funds from any funds now available or any funds that may become available in this fiscal year.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 22, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Summerlin:

H. J. R. 23. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Friday, June 7, 1957.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 23, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Allen and Cantrell:

S. 256. To propose an amendment to the Constitution prescribing the method of adopting amendments which affect only a part of the counties in the State.

Committee on Constitution and Constitutional
Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Allen:

S. 257. To provide permissive jury service for women; amending Sections 3, 18, 20, and 21 of Title 30, Code of Alabama (1940).

Committee on Judiciary.

By Mr. Roberts:

S. 258. To regulate and to prescribe procedures relative to the acquisition of personal property and contractual services for the use of the State of Alabama or any office or agency thereof, or any county, or any department, board, office or officer of any county, and to prescribe penalties.

Committee on Finance and Taxation.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 259. To amend Section 279 of Title 26, Code of Alabama 1940, as amended, the same relating to the schedule of compensation under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 260. To amend Section 285 of Title 26, Code of Alabama 1940, as amended, the same relating to the expenses of burial under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 261. To amend Section 299 of Title 26, Code of Alabama 1940, as amended, the same relating to lump sum payments of benefits under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 262. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 263. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 264. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 265. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 266. To amend Section 304 of Title 26 of the 1940 Code of Alabama to provide that the trial of cases arising under the Workmen's Compensation Act shall be governed by the same rules and statutes as govern the trial of civil cases between the same parties.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Cantrell, Goodwin, Robison, Leonard and Newton:

S. 267. To amend Section 266 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' records of injuries under the workmen's compensation law and reports to the department of industrial relations.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Van Antwerp, Boutwell, Allen, Roberts, Robison, Flowers, Goodwin, Cantrell, Leonard and Newton:

S. 268. To amend Sections 197, as amended, 199, and 248, as amended, of Title 26, Code of Alabama 1940, the same dealing respectively with the Unemployment Compensation Trust Fund, withdrawals from the Unemployment Compensation Trust Fund and the Employment Security Administration Fund, all pertaining to the Unemployment Compensation Law.

Committee on Judiciary.

By Messrs. Skidmore, Metcalf, Van Antwerp, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 269. To repeal Section 210 of Title 26, Code of Alabama 1940, the same relating to seasonal employment under the Alabama Unemployment Compensation Law.

Committee on Judiciary.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 270. To amend Section 204 of Title 26, Code of Alabama 1940, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

Committee on Judiciary.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 271. To amend Section 207 of Title 26, Code of Alabama 1940, as amended, the same relating to weekly unemployment benefit amounts.

Committee on Judiciary.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 272. To amend Section 216 of Title 26, Code of Alabama 1940, as amended, the same pertaining to Determinations under the Alabama Unemployment Compensation Law.

Committee on Judiciary.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 273. To amend Section 221 of Title 26, Code of Alabama 1940, the same relating to court appeals in unemployment compensation cases.

Committee on Judiciary.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard, and Newton:

S. 274. To amend Section 202 of Title 26, Code of Alabama 1940, as amended, the same relating to contributions by employees under the Alabama Unemployment Compensation Law.

Committee on Judiciary.

By Mr. Skidmore:

S. 275. To amend Section 2 of an act approved August 16, 1955, entitled "An Act Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act" (Acts of 1955, Vol. I, p. 592).

Committee on Local Legislation.

By Mr. Newton:

S. 276. To regulate the compensation of certain county employees of all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Mr. Boutwell:

S. 277. To amend Section 144, Title 7, Code of Alabama of 1940.

Committee on Judiciary.

By Mr. Davis (Lowndes):

S. 278. To create the Alabama Theodore Roosevelt Centennial Commission, to provide for the appointment of its members, and to prescribe its powers, duties, and responsibilities.

Committee on Finance and Taxation.

By Mr. Bradford:

S. 279. To amend Section 391 of Title 26 of the Code of Alabama of 1940 as last amended, dealing with membership in labor organizations.

Committee on Immigration, Industrial Resources and Labor.

By Mr. Metcalf:

S. 280. To define and regulate through licensure the practice of landscape architecture; establishing the State Board of Landscape Architects, and prescribing its powers and duties; prescribing qualifications of licensees to practice landscape architecture, fees for such licenses and penalties for violations of this Act; authorizing the State Board of Landscape Architects to examine applicants for licenses to practice landscape architecture, and to issue, deny, suspend and revoke such licenses; providing for appeals from decisions of the board to the courts of this State; providing for the collection and disbursement of examination and license fees and penalties; and providing for the enforcement of this Act.

Committee on Judiciary.

By Mr. Metcalf:

S. 281. To authorize and prescribe procedures for the execution under the supervision and direction of the circuit court in equity of leases of certain undivided mineral interests when one or more of the owners or claimants thereof are nonresidents of the State or are unknown or cannot be located; providing for the appointment of receivers for the interest of such nonresident or unknown owners; prescribing the powers and duties of such receivers; and providing for the safe-keeping of moneys, rents and royalties accruing under such leases.

Committee on Judiciary.

By Mr. Reeves:

S. 282. To amend Section 120 of Title 14, Code of Alabama (1940), which relates to the offense of drunkenness.

Committee on Judiciary.

By Mr. Reeves:

S. 283. To amend Section 133 of Title 45, Code of Alabama (1940); relating to the removal of prisoners from jail.

Committee on Judiciary.

By Mr. Robison:

S. 284. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Robison, Flowers, Givhan and Tate:

S. 285. To transfer funds heretofore appropriated for Bangs' Disease control from amounts therein designated to be expended for salaries and for equipment purchases to the amount to be expended for other expenses during the fiscal year ending September 30, 1957.

Committee on Finance and Taxation.

By Mr. Tate:

S. 286. To declare certain plants and weeds noxious; to make it unlawful to import or transport such noxious plants or weeds into this State; and to prescribe penalties for violations of this Act.

Committee on Judiciary.

MOTION TO ADJOURN LOST

At 5:45 P. M., Mr. Flowers moved that the Senate do now adjourn until Friday, June 7, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 8; Nays 20.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Newton	
Allen	Flowers	Leonard	Roberts	
Cooper				—8

Nays:

Messrs.:	Goodwin	Reeves	Tate
Boutwell	Grisham	Robison	Van Antwerp
Bradford	Little	Shelton	Vann
Calvin	Metcalf	Skidmore	Yarbrough (Autauga)
Davis (Lowndes)	Moses	Smith	Yarbrough (Randolph)
Eddins			—20

REPORTS OF COMMITTEES

Mr. Roberts Chairman of the Standing Committee on Judiciary reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reeves:

S. 113. To amend further Section 325 of Title 15, Code of Alabama (1940), which relates to specifications of legal punishments.

By Mr. Reeves:

S. 114. To amend Section 72, Title 45, Code of Alabama, which relates to payment of costs by Board of Corrections.

By Messrs. Moses, Skidmore, Vann and Roberts:

S. 149. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951, (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof,"

Mr. Skidmore Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Shelton, Moses, Yarbrough (Randolph), Boutwell, Lamberth, Flowers, Calvin, Skidmore, Metcalf and Roberts:

S. 9. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Lamberth, Metcalf, Roberts and Flowers:

S. 31. To propose an amendment to the Constitution of Alabama that the Court of Appeals be constituted as the Court of Criminal Appeals with final, exclusive, and irrevocable supreme appellate jurisdiction co-extensive with the limits of the State in all criminal and quasi-criminal cases of whatsoever grade; and with power to issue such original, remedial, and extraordinary writs as may be necessary to give it a general superintendency and control of inferior jurisdictions; and that the judges of the Court of Appeals holding office at the time said amendment shall become effective, or who shall be elected to a future term on the Court of Appeals, shall constitute the judges of said court for the remainder of the terms for which they were chosen as judges of the Court of Appeals.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Lamberth, Metcalf and Roberts:

S. 32. To provide for the Court of Criminal Appeals of Alabama.

By Mr. Flowers:

S. 91. Proposing an amendment of Sections 50 and 198 of the Constitution to provide for each county created after the ratification of the 1901 Constitution one member of the house of representatives for every forty-five thousand inhabitants or fractional part thereof.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Leonard, Newton, Metcalf, Little, Cantrell, Grisham, Moses, Goodwin, Shelton, Yarbrough (Randolph), Bradford, Smith, Calvin, Boutwell, Lamberth, Reeves, Engelhardt, Cooper, Flowers, Skidmore, Roberts, Vann and Givhan:

S. 124. To propose an amendment to the Constitution authorizing the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama for building construction and improvement purposes at the Alabama Institute for Deaf and Blind at Talladega, Alabama.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Huddleston:

H. 49. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Colbert County to levy and collect a special school tax of fifty cents on each one hundred dollars worth of taxable property.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Haltom and Broadfoot:

H. 96. Proposing an amendment to the Constitution relative to Lauderdale County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Calvin, Robison, Moses, Engelhardt, Little, Davis (Lowndes) Davis (Pickens), Yarbrough (Autauga) Boutwell, Shelton, Dyar, Givhan, Reeves, Eddins, Hall, Smith, Bradford, Tate, Jones and James (with amendment):

S. 5. Regulating the procedure of the state purchasing agent and others in the purchase of personal property and contractual services for the use of any state department, institution, agency, or political subdivision making such purchases through the division of purchases and stores; creating a committee on standard specifications; and prescribing penalties.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Leonard, Flowers, Moses, Givhan and Allen:

S. 125. To make an appropriation for the use and benefit of the Alabama Institute for Deaf and Blind.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute and it was read a second time and placed on the calendar, to-wit:

By Messrs. Calvin, Vann, Flowers, Allen, Lamberth, Skidmore, Roberts, Robison, Givhan, Boutwell, Jones, Bradford and Leonard (with substitute):

S. 163. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan and James:

S. 44. Making an appropriation for the relief of B. L. Massengale of Uniontown, Alabama.

Mr. Robison, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Vann, Flowers, Moses, Leonard, Smith, Skidmore, Roberts and Allen:

S. 135. To regulate the qualifications, applications, examinations and licensing of all persons who shall be hereafter licensed to act as agent for or to solicit business for any life or health and accident insurance carriers in Alabama who shall engage in the business of selling, soliciting, issuing, delivering, effecting or collecting premiums on policies or contracts of life insurance or contracts of health and accident insurance or

both; to define terms; to provide penalties for violations of the provisions hereof; to prohibit the representing of unauthorized insurers; to provide for liability of insurance agents when representing unauthorized insurers; to prohibit the doing of business by unlicensed agents; to prohibit the doing of business with unauthorized agents; to provide an advisory board to advise with the Superintendent of Insurance; to provide for the appointment and term of office of said advisory board; to provide for the revocation of licenses; to provide that certain information, documents, records or statements disclosed or made to the Superintendent of Insurance shall be deemed a privileged communication and shall not be used as evidence in any court action or proceeding; to provide for the refusal, suspension, or revocation of license and to provide for a hearing thereon; to provide an appeal from certain actions of the Superintendent; to provide for the making of certain rules and regulations by the Superintendent; to provide for the making of certain investigations by the Superintendent; to provide penalties for the violation of this Act; to provide for the severability of this Act; to repeal conflicting laws, and to provide an effective date for this Act.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Van Antwerp (with notice and proof):

S. 171. To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as "The Water Works and Sewer Board Employees' Pension and Relief Fund"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payments for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof.

By Mr. Robison:

S. 195. To provide for the appointment of bailiffs for the circuit courts of all counties having a population of not less than 135,000 nor more than 225,000 inhabitants, according to the last or any subsequent federal decennial census, to regulate their compensation and provide for the payment thereof.

By Mr. Grouby (with notice and proof):

H. 17. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

By Messrs. Killough and Taylor (with notice and proof):

H. 25. To amend Act No. 183, H. 558, approved June 23, 1945 (Local Acts of Alabama, 1945, page 99) which divided Butler County into four commissioner's districts and provided for the election, tenure of office and compensation of commissioners for each of such districts.

By Mr. Pirkle (with notice and proof):

H. 45. To apply in Cleburne County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

By Mr. Huddleston (with notice and proof):

H. 51. To permit any bank or branch bank located in Colbert County to establish in the municipality of Cherokee, Alabama, one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices, or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

By Mr. Franklin (with notice and proof):

H. 53. To permit any bank in Coosa County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

By Mr. Stembridge (with notice and proof):

H. 76. To create and establish a Board of Revenue and Control for Houston County, Alabama, to be composed of five district Commissioners and the Judge of Probate who shall serve as ex officio chairman, in place of the board of revenue now existing in said County, and abolishing said board of revenue of Houston County; to provide for the four members now serving as commissioners on the board of revenue to hold office on the Board of Revenue and Control until their terms shall expire and their successors elected and qualified; to provide for compensation of the members and the manner of payments; to divide the County into five districts by adding the fifth district and prescribing the method by which this additional commissioner shall be appointed; to provide for the election of the district commissioners prescribing their required qualifications, terms of office, duties and compensation, and the numbered precincts in each district so created and established; to provide for selection of one of the commissioners to serve as vice-chairman of the board; to prescribe a quorum for the purpose of transacting business of the county; providing for appointments to fill vacancies on the board; prescribing bonds for all commissioners and the Judge of Probate as ex officio Chairman of the board; to provide for the appointment of county engineer and defining his duties, power and authority and prescribing a maximum salary for the position; to provide for powers and authority of board members and to prescribe regular meeting dates of the board; to provide procedure for the making of contracts for construction, and/or the purchase of road and bridge material, teams, tools, machinery, supplies or equipment; to provide for repeal of all laws in conflict with this act, and especially repealing certain acts designated.

By Mr. Stembridge (with notice and proof):

H. 77. To provide deputies, clerks, and other assistants for certain officers of Houston County, to regulate their compensation and provide for the payment thereof, and to repeal conflicting laws.

By Mr. Stembridge (with notice and proof):

H. 78. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

By Mr. Brown (Lamar) (with notice and proof):

H. 99. To prescribe the salary and the manner of payment thereof of certain deputies sheriff for Lamar County.

By Mr. Fite:

H. 107. To provide further for the development of Marion County, conferring on the governing body of said county additional powers and authority to provide for public schools and other county improvements.

By Mr. Fite (with notice and proof):

H. 116. To create and establish the Marion County Superior Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time for sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the Marion County Court and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

By Messrs. Pruitt and Harvey (with notice and proof):

H. 151. For the relief of T. B. Jarman; authorizing the court of county commissioners, board of revenue, or like governing body of Sumter County to appropriate and pay from the general fund of the county the sum of five hundred dollars (\$500) to said Jarman as damages for an injury to his property.

Mr. Smith Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment and it was read a second time and placed on the calendar, to-wit:

By Messrs. Selman and Shumate (with notice and proof) (with amendment):

H. 172. To provide for paid leaves of absence for certain employees of Walker County.

Mr. Smith Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Love (with notice and proof):

H. 205. To provide the Sheriff of Covington County, Alabama, and additional Deputy Sheriff to those now provided by law; to fix the salary of said deputy and to make the same payable in equal monthly installments from the General Funds of Covington County, Alabama.

By Mr. Love (with notice and proof):

H. 206. To increase the minimum and maximum salaries payable to Deputies Sheriff (except the Chief Deputy) of Covington County, Alabama, now authorized under the laws of Alabama.

By Mr. Ferrell (with notice and proof):

H. 211. To alter or re-arrange the boundary lines of the city of Fort Payne, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

By Messrs. Solomon and Mathison (with notice and proof):

H. 223. To alter, re-arrange, and extend the boundaries of the City of Headland in Henry County.

By Mr. Roberts (with notice and proof):

H. 227. Making an appropriation from the treasury of Madison County for the relief of R. B. Massey, to compensate him for property damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal liability and cannot be sued.

By Mr. Kelly (with notice and proof):

H. 251. To amend Act No. 465, H. 743, approved September 9, 1955 (Acts of Alabama, 1955, p. 1054), entitled "An Act Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses."

By Mr. Flowers (with notice and proof):

S. 243. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

By Mr. Van Antwerp (with notice and proof):

S. 255. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Mr. Shelton, Chairman of the Standing Committee on Mining and Manufacturing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Vann, Moses, Metcalf, Engelhardt, Dyar, Leonard, Smith, Hall, Eddins, Davis (Lowndes), Reeves, Cooper, Boutwell, Little, Van Antwerp, Flowers, Calvin, Bradford, Davis (Pickens), Robison, Goodwin, Yarbrough (Autauga), Grisham, Newton and Lamberth:

S. 170. To amend Section 29 of an act known as the "Alabama Coal Mine Safety Law of 1949" (Act No. 207, S. 134, Acts of Alabama, Regular Session 1949, p. 242), to provide for the use of milli-second blasting in conformity with the requirements prescribed by the Bureau of Mines of the United States Department of the Interior.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Yarbrough (Autauga):

S. 96. To provide for the creation of watershed conservancy districts for the purpose of developing and executing plans and programs relating to the conservation of water, water usage, flood prevention, flood control, prevention of erosion, and control of erosion, floodwater, and sediment damages; to prescribe the powers, duties, and authority of a board of directors of any such district, and to provide for the selection, term, qualifications, powers, duties, authority, and compensation of the members and employees thereof; to prescribe the powers, duties, and authority of the board of supervisors of any soil conservation district in the creation and dissolution of a watershed conservancy district, in supervising

and directing the activities and operations of the board of directors in any such watershed conservancy district; and in otherwise carrying out the purposes of the Act; to authorize the board of directors of a watershed conservancy district to acquire property, or interests therein, by purchase, donation, condemnation, or otherwise, and to sell, lease, or otherwise dispose of such property, or interests therein, in carrying out the provisions of the Act; to provide that the board of directors may make and execute contracts and other instruments in carrying out the purposes of the Act, and to sue and be sued in the name of the district; to authorize the board of directors to construct, improve, operate, and maintain such structures and improvements as may be necessary in carrying out the purposes of the Act, and to borrow money and issue bonds for the purpose of acquiring rights of way and constructing, reconstructing, repairing, enlarging, operating, and maintaining such structures or improvements; exempting property acquired by any such district from all state, county, or municipal taxes; and to provide for withdrawals from, and dissolution of, any watershed conservancy district created under the provisions of the Act.

By Messrs. Yarbrough (Autauga) and Metcalf:

S. 95. To amend further Section 661 of Title 2, Code of Alabama 1940, which relates to the creation of soil conservation districts, to provide for the disannexing of territory from existing districts so as to form new districts with boundaries co-extensive with county boundaries.

By Mr. Dyar:

S. 184. To amend Title 8, Section 232 and Section 239, code of Alabama 1940.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following House Joint Resolution, and ordered same returned to the Senate with a favorable report, to-wit:

H. J. R. 14. Authorizing payments to each member of the Legislature who served as Budget Advisor to the Governor during public hearings on the present Budget.

Which was read and ordered placed on the calendar for consideration on the next legislative day.

MOTION TO ADJOURN LOST

At 6:55 P. M., Mr. Roberts moved that the Senate do now adjourn until Friday, June 7, 1957 at 10 o'clock A. M., which motion was lost.

Yeas 7; Nays 16.

Yeas:

Messrs.:	Bradford	Davis (Pickens)	Newton
Allen	Cooper	Hall	Tate

—7

Nays:

Messrs.:	Engelhardt	Reeves	Skidmore
Boutwell	Flowers	Roberts	Smith
Calvin	Metcalf	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Moses	Shelton	Yarbrough (Randolph)
Eddins			

—16

BILLS ON THIRD READING

The Bill:

S. 117. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Skidmore
Allen	Eddins	Moses	Smith
Boutwell	Givhan	Newton	Tate
Calvin	Grisham	Reeves	Vann
Cantrell	Jones	Robison	Yarbrough (Autauga)
Cooper	Leonard		—21

Nays:

—0

The Bill:

S. 58. To authorize and provide for the producers of certain agricultural commodities to act jointly and in cooperation with handlers, processors, and the State Department of Agriculture and Industries in promoting the production, distribution, use and consumption of such commodities; providing that producers may levy upon themselves assessments for the purpose of financing a promotional program, and providing for the imposition of such assessments and the collection thereof; superseding an act approved October 9, 1947 entitled "An Act To enable farmers who are producers of agricultural commodities to act jointly with dealers and processors in promoting the sale, distribution and consumption of such Alabama products" (Act No. 699, H. 594, General Acts of 1947, p. 536).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 23; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Metcalf	Shelton
Allen	Davis (Pickens)	Moses	Skidmore
Boutwell	Eddins	Newton	Smith
Bradford	Engelhardt	Reeves	Tate
Calvin	Flowers	Roberts	Yarbrough (Autauga)
Cooper	Hall	Robison	Yarbrough (Randolph)
			—23

Nays:

—0

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor, with the date and hour of delivery, to-wit:

S. J. R. 3 Delivered to the Governor May 14, 1957 at 12:48 P. M.

S. J. R. 4 Delivered to the Governor May 14, 1957 at 12:48 P. M.

S. J. R. 6 Delivered to the Governor May 14, 1957 at 12:48 P. M.
S. J. R. 9 Delivered to the Governor May 17, 1957 at 10:55 A. M.
S. J. R. 16 Delivered to the Governor May 24, 1957 at 10:45 A. M.
S. B. 68 Delivered to the Governor May 24, 1957 at 10:45 A. M.
S. B. 69 Delivered to the Governor May 24, 1957 at 10:45 A. M.
S. B. 88 Delivered to the Governor May 24, 1957 at 10:45 A. M.
S. B. 93 Delivered to the Governor May 24, 1957 at 10:45 A. M.
S. B. 94 Delivered to the Governor May 24, 1957 at 10:45 A. M.
S. B. 51 Delivered to the Governor June 4, 1957 at 11:25 A. M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing Report of the Secretary was read and ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 217. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said committee, in session, has carefully examined the Journal of the Senate for the ninth legislative day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the ninth legislative day approved by the Senate.

ADJOURNMENT

At 7:10 P. M., on motion of Mr. Flowers, the Senate adjourned until Friday, June 7, 1957, at 10 o'clock A. M.

TENTH LEGISLATIVE DAY

Friday, June 7, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Charles Douglass, Rector, St. John's Episcopal Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Calvin, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

Yeas 27; Nays 5.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Shelton
Allen	Dyar	Little	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Givhan	Moses	Tate
Calvin	Goodwin	Newton	Van Antwerp
Cantrell	James	Reeves	Yarbrough (Autauga)
Cooper	Jones	Robison	Yarbrough (Randolph)

—27

Nays:

Messrs.:	Eddins	Hall	Roberts
Davis (Pickens)	Flowers		

—5

MOTION TO RECESS ADOPTED

At 10:10 A. M., on motion of Mr. Lamberth, the Senate took a recess for fifteen minutes.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Cantrell	Eddins	Grisham
Allen	Cooper	Engelhardt	Hall
Boutwell	Davis (Lowndes)	Flowers	James
Bradford	Davis (Pickens)	Givhan	Jones
Calvin	Dyar	Goodwin	Lamberth

Leonard	Newton	Shelton	Van Antwerp
Little	Reeves	Skidmore	Vann
Metcalf	Roberts	Smith	Yarbrough (Autauga)
Moses	Robison	Tate	Yarbrough (Randolph)

—35

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill and House Joint Resolution, your signature thereto is requested.

H. 217. To provide for the acquisition of certain real estate by the Board of Trustees of the University of Alabama to be developed as a State Health Center, and to make an appropriation for that purpose.

Also:

H. J. R. 17. Relative to the availability of a grant to the Board of Trustees of the University of Alabama for the construction and equipping of a health research building in the University Medical Center.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL AND HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolution; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 106. To fix the compensation of certain officers of counties having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand inhabitants and in which the Legislature is authorized to fix, regulate and alter the salaries of such officers.

Also:

S. 156. To repeal Act No. 389, H. 988, approved September 9, 1955 (Acts of Alabama, 1955, Vol. II, p. 924), entitled "An Act Relating to Walker County; requiring certain purchases for the county or any office, department, board, agency or institution, thereof to be based on competitive bids; prescribing procedures for handling such bids and making such purchases; and prescribing penalties."

Also:

S. J. R. 19. Recording opposition to the proposed name change and function of the Bureau of Apprenticeship in the U. S. Department of Labor.

Also:

S. J. R. 24. An expression of sympathy to the family of the late Luther Patrick of Birmingham, Alabama.

Also:

S. J. R. 20. Extending an invitation to Lt. Gov. Ernest Vandiver of Georgia to address a joint session of the Legislature.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MOTION TO RECESS ADOPTED

At 11:10 A. M., on motion of Mr. Davis (Lowndes), the Senate took a recess for thirty minutes.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

RESOLUTION

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 26. BE IT RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Tuesday, June 11th, 1957.

On motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of Alabama College.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

MAY 28, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the Board of Trustees, for Alabama College, located at Montevallo, Alabama:

Dr. J. L. Hardwick—Talladega—From the Fourth District for the term expiring in January, 1967.

Judge Roy Mayhall—Jasper—From the Seventh District, for the term expiring in January, 1967.

Judge Gardner Goodwyn, Jr.—Birmingham—From the State at Large, Succeeding Hon. Joseph B. Hedrick, resigned, for the term expiring in January, 1963.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the appointments of members of the Board of Trustees for Alabama College, which said appointments are set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Banking Board.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

MAY 28, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the State Banking Board:

Honorable Carl V. Porter—Fort Payne—For the term expiring February 1, 1963.

Honorable L. R. Deal—Andalusia—For the term expiring February 1, 1963, succeeding Hon. H. Austill Pharr, resigned.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Moses, the Rules were suspended and the Senate confirmed the appointments of members of the State Banking Board, which said appointments are set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JUNE 4, 1957

To the Legislature of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

The Committee appointed by me to travel to Argentina to make a study of the method of control used by that Country in handling the Argentina Fire Ant has completed its report and filed same with me.

I am herewith transmitting a copy of this report to you for your information and such action as you deem proper.

Respectfully,

JAMES E. FOLSOM,
Governor.

Honorable James E. Folsom,
Governor of Alabama

In compliance with verbal instructions issued by the Governor, the Committee, designated by the Governor to travel to the Country of Argentina and investigate and study their methods of control of the Argentine fire ant in its native habitat and environment, wishes to submit the following report.

The Committee had in view three objectives: (1) to determine the extent of the damage caused by the fire ant where it has been long established, (2) to determine how and if it is controlled by the people long associated with it, and (3) to determine if there are natural enemies or other methods unknown to us which might be used to better control the fire ant in our State and in the United States.

Argentina is a land of farms and cattle ranges. It sells more meat in the markets of the world than any other country; it is second only to Canada in the export of wheat; and it also produces corn, alfalfa, flax, wool, cotton, peanuts, tannin, tobacco products, fruits and vegetables. The great natural wealth of Argentina is its rich black soil—so rich, in fact, that commercial fertilizer is absolutely unknown and unnecessary for the production of plentiful crops. Its natural cover is a thick cover of high pampas grass which makes it an ideal country for the production of beef cattle. Argentina's cattle production is quite different from ours in that dry lot and winter feeding, as we know it in the United States, is

absolutely unheard of there. Cattle remain on the range twelve months out of each year until they are three years of age, at which time they are marketed.

Since Argentina has no problem of fertilizing their pastures nor the problem of winter feeding, they give no importance to the problem of the Argentina fire ant and the people with whom we talked were amazed that it could be a problem in the United States. No farmer or entomologist with whom the Committee talked had ever heard of an authentic case in which fire ants had caused the death of an animal. This leads us to believe that, if the fire ant is actually responsible for the death of young calves in Alabama, it is because the fire ant is a comparatively new insect pest in our state and animals here have not yet developed the instinct that fire ants are dangerous and therefore should be avoided. It is believed that animals have the ability to develop such instincts and that cattle in fire ant infested areas in Alabama and in the United States will do so. Actually the Argentine fire ant is considered in Argentina as a beneficial rather than a harmful insect due to the fact that the fire ant kills and feeds on numerous other insect pests. Since the Argentine fire ant is a native of Argentina, they have had much greater experience than we have had in the United States and it is reliably reported that in many instances more than one hundred different species of harmful insects have been found dead in the mounds of fire ants. None of the farmers with whom we talked considered the insect as a pest or in any way dangerous unless one stepped directly on a mound. Most of the areas that we inspected had infestations equal to those found in Alabama varying from a few mounds per acre to as many as seventy-five to one hundred per acre. The farmers further stated that the ants would not climb trees and that they were no problem in the harvesting of fruit and vegetable crops. Of course, we must realize that our fire ant problem is much greater than that of Argentina in four basic respects, namely: (1) the fire ant is a native of Argentina and was found there by the first settlers of the country; (2) the land of Argentina is so fertile that commercial fertilizer is unknown and unused and therefore there is no problem of the use of mechanical equipment for the application of fertilizer to row crops or pasture lands such as we have in Alabama and the United States; (3) Argentine cattlemen allow the cattle to graze the lush pasture lands twelve months of the year and they are not required to provide any winter feeding, therefore they do not need to use any farm machinery in the mowing and baling of hay crops for winter feed; dry lot and winter feeding of cattle as known and practiced in this country are unheard of in Argentina; and (4) land values are much lower in Argentina than in Alabama and the United States due to the smaller population of the country—19,000,000, inhabitants in the entire country of Argentina—over 5,000,000 of whom live in the City of Buenos Aires. The United States has a population nearly ten times that of Argentina on a land area only three times as large as that of Argentina. For this reason rich level farm land in Argentina sells for from \$25.00 to \$35.00, American money, per acre and some land can be purchased for as little as \$1.00 per acre.

Inasmuch as the farmers and entomologists of Argentina consider the fire ant as a beneficial rather than a harmful insect, we found no record of any control measures ever having been used in that country. We were informed by the entomologists with whom we talked that quite often a fire ant infestation over a given area would decrease due to the fact that one colony of ants would declare war on and exterminate another colony, this being more pronounced in areas of high infestation. This would lead one to believe that colonies and mounds in highly infested areas in our State might decrease rather than increase due to the warlike nature of the fire ants between colonies.

The present range of the fire ants in Argentina extends from the Province of Rio Negro about forty-two degrees latitude northward to the

Province of Jujuy in the Andes Mountains and the eastward distribution is from the Andes to the Atlantic Ocean. The ant is also reported north of Argentina in Bolivia, Paraguay, Uruguay, and Brazil. The distribution in these countries is largely unknown, however, it is believed that these ants extend to the tropical areas of South America. If such distributional pattern were followed in the United States, this insect could be expected to spread as far north as New York City. Within the range, these ants are found in all ecological types; mounds may be found in deserts, scrub, savanna, and mucky river delta, as well as in the better farming areas. It appears, therefore, that moisture is not a major factor in limiting the range of the ant. The fire ant is found in the sea level marshes of the Province of Buenos Aires and in the delta of the River Plata, and it has also been taken from the Andes Mountains at all elevations up to about 12,000 feet. This would enable these ants to live within 2500 feet of the top of Mount Ranier, the tallest mountain in the United States.

Three parasites of the imported fire ant have been found in Argentina. An ant, *Labauchena daguerrei* Bruch, lives on the body of the queen fire ant and steals a part of the food brought to the queen by the worker fire ants. It is also reported to eat a part of the eggs laid by the queen fire ant. In this manner it weakens the colony, but does not destroy it. This parasite would probably be of little value in control of the imported fire ant in the United States.

Dr. Ogloblin of the Plant Quarantine Station reported a parasite in the form of the larva of a small wasp, *Oraesema*, which eats the adult worker fire ants. Parasitism by this species is very low in the field, and it does not destroy the mounds which it infests. It would likely be of little value in biological control of the imported fire ant in the United States.

The other parasite, the larvae of a small fly (phoridae), is largely unknown. It has also been reported from the nest of *Solenopsis geminata* in North America, but has never been taken from the nest of the imported fire ant on this continent. Specialists in Argentina did not believe it would be of value in a biological control program. It is the opinion of the Committee that none of the above mentioned parasites would be of any value whatsoever in the control of the insect in our country.

In conclusion it is the desire of the Committee to report that we are in no way attempting to minimize the great problem faced by the farmers of Alabama in seeking measures of control for this imported pest. Certainly the infestation of 13,432,594 acres of our rich farm and pasture lands in Alabama creates a problem in which every citizen of Alabama has an interest. We regret that we did not learn of some method of control and eradication but do not suppose that anyone expected the Committee to solve the problem and rid our State of this pest upon our return from Argentina.

However, it is the opinion of the Committee that the discussions which were held with the foremost entomologist of Argentina relative to the fire ant and the information gained from such discussion will be of invaluable help to the entomologists of our State in preparing and recommending adequate defenses to our farm folks for the control of the Argentine fire ant.

Inasmuch as our concern with the fire ant is a very recent one, the staff at Auburn has been somewhat hampered due to the lack of certain information which of necessity would take several years to secure. Dr. Hayes of the Entomology Department at Auburn and a member of our Committee is of the opinion that the trip to Argentina will be worth many times its cost to the farmers of Alabama and of the United States because of the information secured by personally meeting and talking with the entomologists of Argentina. The Committee feels reasonably sure that this will be true.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, was read and on motion of Mr. Lamberth ordered spread upon the Journal.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Cornett:

H. J. R. 25. Whereas The Honorable S. Ernest Vandiver, Lieutenant Governor of the State of Georgia, has graciously accepted the invitation extended to him to address a joint session of the two Houses of the Legislature;

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That a joint session of the two Houses be convened in the Hall of the House of Representatives, on Tuesday, June 11, at 11:30 A. M., for the purpose of hearing the address by The Honorable S. Ernest Vandiver.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Little, the Rules were suspended and the Resolution, H. J. R. 25, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

RESOLUTION

Mr. Boutwell offered the following Senate Joint Resolution, to-wit:

S. J. R. 27. WHEREAS, Thursday, the 30th of May 1957, was memorable, a day for feasting, festivity, frolic and fun, a date to be long remembered by those members of the Legislature and other guests who had the great good fortune of attending the soiree and enjoying the sumptuous dinner given by the amiable and otherwise distinguished Senator from Pike, and his genial, cordial and gracious colleagues in the House; be it therefore

RESOLVED by the Senate, the House concurring, that we, individually and collectively, desire to express to Messrs. Reeves, Boyd and Bassett our grateful appreciation and hearty thanks for the delightful entertainment provided on the very pleasant occasion above mentioned.

On motion of Mr. Boutwell, the Rules were suspended and the Resolution was adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Allen:

S. 287. To amend Sections 7, 8, 9 and 13 of Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama so as to authorize any hospital board organized under such Act to lease any hospital and any other real and personal property owned by it to any one or more counties and incorporated municipalities in this state; to authorize any such hospital board to pledge and assign revenues and rents derived by

it from the leasing of any hospital and any other real and personal property owned by it; to authorize any fiduciary, with the exercise of reasonable business prudence, to invest trust funds in any securities of any such hospital board; to authorize the county in which any such hospital board is organized and any municipality within such county to transfer and convey to such hospital board, without consideration, any hospital jointly owned by such county and any such municipality and any funds owned or controlled jointly by such county and any such municipality that may have been raised or allocated for any of the purposes for which such board shall have been organized.

Committee on Municipalities and Municipal Organizations.

By Mr. Allen:

S. 288. To authorize any county hospital corporation heretofore or hereafter organized under the provisions of Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama (as said act was originally enacted or as it may have been or hereafter be amended), the county which authorized the organization of such hospital corporation and any one or more municipalities in such county to enter into one or more lease agreements whereunder a hospital or any part thereof shall be leased by such hospital corporation to such county, any one or more of such municipalities or to such county and any one or more such municipalities, for a term, with respect to each county or municipality leasing any such hospital or part thereof, not longer than its then current fiscal year; to provide that any such lease may contain a grant to any such county or municipality of one or more options of renewal; to provide that any such lease agreement may contain such provisions relating to the exercise of any such option and such other covenants and provisions as the parties thereto may agree; to provide, with respect to any such lease agreement to which two or more such local subdivisions are parties, that the obligation of such local subdivisions to pay the rent specified therein shall be joint and several; to provide that any rental under any such lease agreement shall be payable in advance; to provide that any rental under any such lease agreement shall be payable, and that any covenant under any such lease agreement shall be performed, solely out of the current revenues of the obligor for such fiscal year; to provide that the state shall not be liable under any such lease agreement; to provide that no obligations of any such local subdivisions under the provisions of any such lease agreement shall create an indebtedness of any such local subdivisions within the meaning of Sections 224 and 225 of the Constitution of Alabama of 1901; to declare the furnishing of adequate public hospital and public health facilities to be an essential governmental function of municipalities and counties; to provide that any rental payable under any such lease agreement by any such county or municipality for such purposes shall constitute a necessary governmental operating expense of such county or municipality; and to authorize the payment of any rental due under any such lease agreement, and the performance of any covenant under any such lease agreement, to be enforced by appropriate proceedings.

Committee on Municipalities and Municipal Organizations.

By Messrs. Roberts, Tate, and Yarbrough (Autauga):

S. 289. To regulate further the sale, issuance, and redemption of trading stamps in the State of Alabama; and to prescribe the power, duties, and authority of the Commissioner of Revenue in the administration and enforcement of the Act.

Committee on Judiciary.

By Messrs. Roberts, Tate, and Yarbrough (Autauga):

S. 290. To impose an additional license tax on every person, firm or corporation who uses trading stamps, coupons, tickets, certificates, cards,

or other similar devices in connection with the sale of goods, wares or merchandise; providing for the collection of the tax and for the use of the proceeds thereof.

Committee on Judiciary.

By Mr. Engelhardt:

S. 291. To alter, re-arrange, and re-define the boundaries of the City of Tuskegee in Macon County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, re-arrange, and re-define the boundaries of the City of Tuskegee in Macon County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Tuskegee in Macon County are hereby altered, re-arranged and re-defined so as to include within the corporate limits of said municipality all of the territory lying within the following described boundaries, and to exclude all territory lying outside such boundaries:

Beginning at the Northwest Corner of Section 30, Township 17-N, Range 24-E in Macon County, Alabama; thence South 89 degrees 53 minutes East, 1160.3 feet; thence South 37 degrees 34 minutes East, 211.6 feet; thence South 53 degrees 57 minutes West, 545.4 feet; thence South 36 degrees 03 minutes East, 1190.0 feet; thence South 53 degrees 57 minutes West, 675.2 feet; thence South 36 degrees 19 minutes East, 743.4 feet; thence South 33 degrees 50 minutes East, 1597.4 feet; thence North 61 degrees 26 minutes East, 1122.8 feet; thence North 28 degrees 34 minutes West, 50.0 feet; thence North 59 degrees 11 minutes East, 1049.3 feet; thence South 30 degrees 48 minutes East, 50.0 feet; thence North 50 degrees 08 minutes East, 341.1 feet; thence North 47 degrees 08 minutes East, 1239.4 feet; thence South 42 degrees 51 minutes East, 300.0 feet; thence South 47 degrees 00 minutes West, 1199.5 feet; thence South 64 degrees 09 minutes East, 1422.0 feet; thence South 24 degrees 13 minutes East 488.7 feet; thence South 73 degrees 25 minutes West, 370.8 feet; thence North 79 degrees 25 minutes West, 2285.3 feet; thence South 61 degrees 26 minutes West, 1232.6 feet, thence South 41 degrees 03 minutes East 792.3 feet; thence South 12 degrees 03 minutes East, 842.2 feet; thence North 88 degrees 09 minutes East, 4403.6 feet; thence South 0 degrees 15 minutes West, 6008.2 feet; thence North 89 degrees 59 minutes West, 4140.2 feet; thence North 34 degrees 46 minutes West, 6668.7 feet; thence North 35 degrees 00 minutes West, 380.4 feet; thence North 16 degrees 55 minutes West, 377.2 feet; thence North 54 degrees 29 minutes East, 497.8 feet; thence North 35 degrees 02 minutes West, 717.5 feet; thence South 54 degrees 03 minutes West, 1241.9 feet; thence North 36 degrees 09 minutes West, 858.4 feet; thence North 44 degrees 28 minutes

East 452.2 feet; thence North 22 degrees 33 minutes East, 4305.9 feet; thence North 86 degrees 43 minutes East, 236.3 feet to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 5/16/4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Hal Fisher, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1957.

HAL FISHER.

Sworn to and subscribed before me June 6, 1957.

MRS. FLORENCE G. FISHER,
Notary Public.

By Mr. Hall:

S. 292. Making it a misdemeanor for any person to wilfully violate the terms or mandate of any injunction issued by a judge or court of competent jurisdiction in a case involving civil rights, and providing for a jury trial upon the demand of any person charged with such offense.

Committee on Judiciary.

By Messrs. Allen and Eddins:

S. 293. To amend further Section 362 of Title 52, Code of Alabama (1940), which defines terms used in the Teachers' Retirement System Act.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Huddleston:

H. 380. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The Board of Commissioners of the City of Tuscumbia, Alabama, hereby gives notice that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said city all of the following described territory:

DESCRIPTION

A tract of land, lying and being in Colbert County, State of Alabama, in Sections Numbered 7, 8 and 18, Township 4 South, Range 11 West, Huntsville Meridian, being all of the said Section 7 not now incorporated within the City Limits of the City of Tuscumbia, Alabama, all of the said Section 8 not now incorporated within the City Limits of the City of Tuscumbia, Alabama and all that portion of the said Section 18, lying and being North of the Northernmost Right-of-way line of U. S. Highway No. 72; said lands being more particularly described as follows, to-wit:

Beginning at the SW corner of the SE $\frac{1}{4}$ of Section 7, T-4-S, R-11-W, Colbert County, Alabama, said point being the SW corner of the existing City Limits Line of the City of Tuscumbia Colbert County, Alabama; thence S87 degrees 53' E distance of 666.25 feet to the Northernmost line of U. S. Highway No. 72; thence S56 degrees 16' W, a distance of 313.37 feet to a point; thence S65 degree 25' W, a distance of 254 feet to a point; thence S24 degrees 35' E, a distance of 10 feet to a point. thence S65 degrees 25' W, a distance of 3082.90 feet to the point of intersection of the Northernmost Right-of-way line of U. S. Highway No. 72 and the West line of the said Section 18; thence NO degree 50' W, a distance of 1723.5 feet to the SW corner of Section 7, T-4-S, R-11-W; thence NO degree 32' W, a distance of 5260 feet to the NW corner of the said Section 7; T-4-S, R-11-W; thence S87 degree 51' E, a distance of 5287 feet to the NE corner of the said Section; said corner also being the NW corner of Section 8, T-4-S, R-11-W; thence N89 degrees 17' W, a distance of 1161 feet to a point on the Westernmost City Limits line of the City of Tuscumbia, Alabama; thence along the arc of a 4 degree 02' curve to the left, Southwesterly a distance of 253 feet to a point; thence along the arc of a spiral to said 4 degree 02' curve a distance of 250 feet to a point; thence S23 degrees 09' W, a distance of 2336 feet to the NE corner of the SE $\frac{1}{4}$ of the said Section 7, T-4-S, R-11-W; thence S3 degrees 14' E, a distance of 1318.56 feet to the NE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7, T-4-S, R-11-W; thence S87 degrees 21' W, a distance of 2615 feet to the NW corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 7, T-4-S, R-11-W; thence, S3 degrees 14' E, a distance of 1318.56 feet to the point of beginning of the lands herein described.

Section 2. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CITY OF TUSCUMBIA, ALABAMA,
By: Lurline Cook, City Clerk.

**STATE OF ALABAMA
COLBERT COUNTY**

Before me, Lurline H. Cook, a Notary Public in and for said county in said state, personally appeared W. F. Miller, who, being by me first duly sworn, deposes and says that he is publisher of the Colbert County Reporter, a newspaper published in the City of Tuscumbia, Alabama, in Colbert County, Alabama; that the attached is a true, correct and complete copy of a Notice of Intention to Apply For Local Law as published in the issues of April 11, 1957, April 18, 1957, April 25, 1957, May 2, 1957 and May 9, 1957; that said newspaper has been so published in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

W. F. MILLER.

Sworn to and subscribed before me this 13th day of May, 1957.

LURLINE H. COOK,
Notary Public.

Also:

By Mr. Ferrell:

H. 382. To allow the Sheriff of DeKalb County, Alabama two additional deputy sheriffs to those now provided by law, and to authorize the DeKalb County Commission to pay the salaries of same; to fix the salaries of said deputies and to make same payable out of the general funds of DeKalb County in monthly installments; to authorize the Sheriff's supervision and control of said deputies, and to provide for the appointment of same.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby given that a bill will be introduced and an effort made to secure its enactment into law at the next regular session of the Legislature of Alabama which convenes on May 7, 1957, in substance as follows:

**A BILL
TO BE ENTITLED
AN ACT**

To allow the Sheriff of DeKalb County, Alabama two additional deputy sheriffs to those now provided by law, and to authorize the DeKalb County Commission to pay the salaries of same, to fix the salaries of said deputies and to make payable out of the general funds of DeKalb County in monthly installments; to authorize the Sheriff's supervision and control of said deputies, and to provide for the appointment of same.

Be It Enacted by the Legislature of Alabama:

Section One: That the Sheriff of DeKalb County is hereby allowed two additional deputy sheriffs to those now provided by law, which deputies shall each receive a salary of not less than Two Thousand Four Hundred Dollars (\$2,400.00) nor more than Three Thousand Dollars (\$3,000.00) per annum, to be paid in twelve monthly equal installments out of the general funds of said County; that said deputies shall be eligible to perform the duties of Deputy Sheriff anywhere in said county.

Section Two: That the appointment of the deputy sheriffs are herein provided shall be made by the Sheriff of DeKalb County, and certified by him to the DeKalb County Commission or other Governing body of DeKalb County, and the salaries of said Deputy Sheriffs shall be fixed by the DeKalb County Commission as provided in this act. Said deputy Sheriffs shall serve at the pleasure of the Sheriff of DeKalb County.

Section Three: That on the first day of each month, the DeKalb County Commission or other like governing body of DeKalb County shall order a warrant drawn upon the general funds of DeKalb County, payable to each of such deputies as may be lawfully entitled thereto in accordance with the provisions hereof, for the monthly salary as may be due such deputy sheriff.

Section Four: Should any part, paragraph or section of this act be declared unconstitutional, the balance of said act shall not be effected thereby.

Section Five: This act shall be in full force and effect immediately upon its passage and approval by the Governor or upon it otherwise becoming a law.

4-25-41T

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA }
COUNTY OF DEKALB } ss:

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Bobby R. Day, publisher of Fort Payne Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of 4/22, 4/29, 5/6, 5/13, 1957.

BOBBY R. DAY,
Publisher.

Sworn to and subscribed before me this 25 day of May, 1957.

JOHN L. CROSS,
Notary Public.

My Commission expires 1-4-58.

Also:

By Messrs. Ramey and Richardson:

H. 388. Levying in Hale County, Alabama, additional special privilege or license taxes and excise taxes equalling thirty-three and one-third percentum of, and otherwise paralleling with like provisions in Hale County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, except that only thirty-three and one-third percentum of the State Levy is hereby made and is to be collected hereunder in Hale County and providing for the collection thereof and providing that all such revenue arising from the levy herein made shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR PASSAGE
OF LOCAL LAW

To Whom It May Concern:

In pursuance of the requirements of Section 106 of the Constitution of 1901, notice is hereby given that application will be made to the Legislature of Alabama, during the 1957 regular session thereof, which convenes on the first Tuesday in May, 1957, for the enactment of a local law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Levying in Hale County, Alabama, additional special privilege or license taxes and excise taxes equalling thirty-three and one-third percentum of, and otherwise paralleling with like provisions in Hale County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, except that only thirty-three and one-third percentum of the State Levy is hereby made and is to be collected hereunder in Hale County and providing for the collection thereof and providing that all such revenue arising from the levy herein made shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes; and equipping furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. In Hale County, Alabama, there is hereby levied in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates, against gross sales, or gross receipts, as the case may be, as follows (a) Upon every person, firm or corporation engaged, or continuing within Hale County, Alabama, in business of selling at retail any tangible personal property whatsoever, including merchandise, and commodities of every kind and character, (not including, however, bonds or other evidences of debt or stocks), an amount equal to one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. (b) Upon every person, firm or corporation engaged, or continuing within Hale County, Alabama, in the business of conducting, or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing, and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association, whether such institution or association be denominational, a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public

bathing places, public dance halls of every kind and description, conducted or carried on within Hale County, Alabama, an amount equal to one per cent of the gross receipts of any such business. (c) Upon every person, firm or corporation engaged or continuing within Hale County, Alabama, in the business of selling any automotive vehicles, an amount equal to one-third of one per cent of the gross proceeds of the sale of said automotive vehicle. (d) The tax levied in Section One hereof shall be subject to all the exemptions, definitions, proceedings, rules, regulations, requirements, provisions, penalties, fines, and punishments and deductions set out in Section 752 through Section 786 and Article 10 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereof, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 2. (a) In Hale County, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in Hale County, Alabama, of tangible personal property purchased at retail on or after effective date of this act, for storage, use or consumption in Hale County, Alabama, at the rate of one per cent of the sales price of such property, except as provided in subsection (b) of this section. (b) In Hale County, Alabama, an excise tax is hereby imposed on the storage, use or other consumption in Hale County, Alabama, of any automotive vehicle purchased at retail on or after the effective date of this act, for storage, use or other consumption in Hale County, Alabama, at the rate of one-third of one per cent of the sale price of such automotive vehicle. Every person storing, using or otherwise consuming in Hale County, Alabama, tangible personal property purchased at retail shall be liable for the tax imposed hereby, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a retailer maintaining a place of business in Hale County, Alabama, showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer. (c) The tax levied in Section Two hereof, shall be subject to all the definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, and punishments and deductions set out in Section 787 through Section 811 and Article 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Section 3. The taxes as herein levied, together with the interest and penalties imposed by this Act, shall be a lien upon the property of any person, firm or corporation due said taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes herein levied, and the State Department of Revenue for the use and benefit of the Hale County Board of Education, shall collect or enforce said taxes in the manner and form therein provided, and as further provided in Section 4 hereof.

Section 4. The taxes herein levied shall be collected by the Department of Revenue of this State at the same time and along with the collection by such Department of Revenue of taxes levied and collected for the State of Alabama under Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall, on request of the Department of Revenue of Alabama, be available for inspection by the Chairman of the Hale County, Alabama, Board of Education, or his designated agent, at reasonable times during the business hours. The State

Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the additional taxes levied herein, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the said Department of Revenue for the collection of State Sales and Use Taxes under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto. It shall be the duty of the Commissioner of Revenue of the State of Alabama, to pay into the State Treasury of Alabama all collections of taxes made hereunder, and on or before the first day of the following month such Commissioner of Revenue of the State of Alabama shall certify to the State Treasurer the amount of special taxes levied and collected under this Act for the use and benefit of the Hale County, Alabama, Board of Education during the calendar month immediately preceding the making of such certificate to the State Treasurer, whereupon it shall be the duty of the State Treasurer to issue his warrant on the State Treasury, payable to the custodian of the public school funds of Hale County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of the Hale County Board of Education and paid into the State Treasury. The State Department of Revenue shall charge the Hale County Board of Education for collecting said special taxes herein levied a percentage of said taxes to be computed on the basis that the total cost of collecting the State Sales and Use Taxes bears to the total of said State Sales and Use Taxes collected for each fiscal year ending September 30th. Such charge for collecting said special taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due the Hale County Board of Education for said month.

Section 5. The taxes imposed hereby shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Hale County, Alabama, except as herein otherwise specifically provided.

Section 6. The taxes herein levied shall be due and collectable at the times and manner and as set out in Section 752 through Section 811 and in Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and all of the methods and provisions given to the State of Alabama as to the collection of said taxes under the provisions of Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama, and amendments thereto, are given hereby to Hale County, Alabama, and to the State Department of Revenue of Alabama for Hale County Board of Education's use, as to the taxes hereby levied.

Section 7. All revenue arising from the taxes herein levied shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

Section 8 All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 9. If any section, clause or provision of this Act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 10. This Act shall become effective upon the first day of the month following its passage and approval by the Governor.

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Willie Jean Arrington, who, being by me first duly sworn, deposes and says that she is the acting Editor and Publisher of the Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that during the time mentioned the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16 and May 23 all in the year 1957.

WILLIE JEAN ARRINGTON.

Sworn to and subscribed before me this May 27, 1957.

SHELLEY HOGGLE,
Notary Public, Hale County, Alabama.

Also:

By Mr. Stembridge:

H. 391. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY TO THE LEGISLATURE
OF ALABAMA, AT ITS NEXT REGULAR SESSION, FOR
THE PASSAGE OF A LOCAL ACT

Notice is hereby given that an application will be made to the Legislature of Alabama, at its next regular session, for the passage of the following identified local act, viz:

AN ACT

To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Education of Houston County is hereby authorized and directed to determine and fix the annual salary of the Superintendent of Education, commencing at the beginning of the next term of office.

Section 2. All laws and parts of laws, general or local, in conflict with any of the provisions of this act are hereby expressly repealed.

Section 3. This act shall become effective upon its passage by the Legislature and its approval by the Governor, or when it may otherwise become law.

Dated this the 15 day of April, 1957.

HOUSTON COUNTY BOARD OF EDUCATION
By: L. J. Thomas, President

April 16, 23, 30, May 7, 1957

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who is known to me and who, being by me first duly sworn, deposes and says: That he is General Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, on the following dates: April 16, 23, 30, May 7, 1957; in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

J. T. LANE, JR.

Sworn to and subscribed before me on this 9th day of May, 1957.

B. WALLACE MILLER,
Notary Public.

Also:

By Mr. Dement:

H. 395. Relating to Limestone County: To amend Act No. 69, S. 262, approved June 14, 1949 (Acts of Alabama, 1949, p. 91), entitled "An Act Relating to Limestone County: To fix the compensation of the Chairman of the Board of Revenue of Limestone County."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend Act No. 69, S. 262, approved June 14, 1949 (Acts of Alabama, 1949, p. 91), entitled "An Act Relating to Limestone County: To fix the compensation of the Chairman of the Board of Revenue of Limestone County."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 69, S. 262, approved June 14, 1949 (Acts of Alabama, 1949, p. 91), entitled "An Act Relating to Limestone County: To fix the compensation of the Chairman of the Board of Revenue of Limestone County," is amended to read as follows:

"Section 1. The annual salary of the chairman of the Board of Revenue of Limestone County shall be payable in equal monthly installments as the salaries of county employees are paid, and the amount thereof shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the tax assessor of Limestone County, as follows: When the tax assessor's records show that the gross assessed valuation of such property for the tax year ending on the 30th day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the

chairman of the Board of Revenue for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred fifty thousand dollars (\$11,250,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be three thousand eight hundred dollars (\$3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be four thousand dollars (\$4,000); when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be four thousand eight hundred dollars (\$4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more but less than thirteen million five hundred thousand dollars (\$13,500,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be six thousand dollars (\$6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars (\$13,500,000) or more but less than fourteen million dollars (\$14,000,000) the salary of the chairman of the Board of Revenue for the year beginning on the first day of the next January shall be six thousand five hundred dollars (\$6,500); and when these records show the gross assessed valuation is fourteen million dollars (\$14,000,000) or more the annual salary of the chairman of the Board of Revenue for the succeeding calendar year shall be seven thousand dollars (\$7,000)."

James M. Dement, Member
State Legislature
Limestone County

M23

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 396. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis," as amended, is amended further to read as follows:

"Section 1. The Tax Collector of Limestone County shall be paid a salary in lieu of any other compensation or remuneration for the performance of his duties, except that he shall be entitled to receive for his own use the fees, commissions, and percentages provided by law for collecting taxes on behalf of municipalities within the county. All other fees, commissions, and percentages heretofore collectible for the tax collector's own use shall be collected and paid into the general funds of the county. The tax collector's salary shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid. The annual salary of the tax collector shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the tax assessor of Limestone County, as follows: When the tax assessor's records show that the gross assessed valuation of such property for the tax year ending on the 30th day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the tax collector for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred fifty thousand dollars (\$11,250,000) the salary of the tax collector for the year beginning on the first day of the next January shall be three thousand eight hundred dollars (\$3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the tax collector for the year beginning on the first day of

the next January shall be four thousand dollars (\$4,000); when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) the salary of the tax collector for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the tax collector for the year beginning on the first day of the next January shall be four thousand eight hundred dollars (\$4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the tax collector for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more but less than thirteen million five hundred thousand dollars (\$13,500,000) the salary of the tax collector for the year beginning on the first day of the next January shall be six thousand dollars (\$6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars (\$13,500,000) or more but less than fourteen million dollars (\$14,000,000) the salary of the tax collector for the year beginning on the first day of the next January shall be six thousand five hundred dollars (\$6,500); and when these records show the gross assessed valuation is fourteen million dollars (\$14,000,000) or more the annual salary of the tax collector for the succeeding calendar years shall be seven thousand dollars (\$7,000)."

Section 2. Section 2 of said Act No. 120, S. 210, approved July 17, 1947, as amended, is amended further to read as follows:

"Section 2. The tax collector may employ a clerk, whose salary shall be fixed by him at not less than one thousand two hundred dollars (\$1,200) nor more than two thousand four hundred dollars (\$2,400) per annum. The salary of the clerk shall be paid by the county in the same manner as the salaries of other county employees are paid. The tax collector shall not employ such clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for such employee during the ensuing year."

James M. Dement, Member
State Legislature
Limestone County M23

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE McGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 397. Relating to Limestone County: To amend further Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act Relating to Limestone County: To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Limestone County: To amend further Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act Relating to Limestone County: To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act Relating to Limestone County: To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act," as amended, is amended further to read as follows:

"The sheriff may appoint a chief deputy and three other deputies, one of whom may be the jailer, whose salaries shall be fixed by the sheriff. The chief deputy shall receive a salary of not less than one thousand eight hundred dollars (\$1,800) nor more than three thousand six hundred dollars (\$3,600) per annum. Each of the other three deputies shall receive a salary of not less than one thousand five hundred dollars (\$1,500) nor more than three thousand three hundred dollars (\$3,300) per annum. The sheriff may also appoint a clerk, who shall be employed three working days each week, and shall receive a salary of one thousand eight hundred dollars (\$1,800) per annum. All of the salaries provided for herein shall be paid by the county in equal monthly installments, as salaries of other county employees are paid."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement, Member
State Legislature
Limestone County

M23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 398. To change the name of the armory located at Athens, Limestone County, Alabama, from "Fort Shelby Fletcher" to "Fort James G. Dement."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the name of the armory located at Athens, Limestone County, Alabama, from "Fort Shelby Fletcher" to "Fort James G. Dement."

Be It Enacted by the Legislature of Alabama:

Section 1. The armory located at Athens, Limestone County, Alabama, and now known as "Fort Shelby Fletcher," is hereby redesignated and shall hereafter be known as "Fort James G. Dement," in honor of the late James G. Dement, who served during the War Between the States as an officer in the Confederate Army.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement, Member
State Legislature
County of Limestone M23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 399. Relating to Limestone County: To amend further Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend further Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office," as amended, is amended further to read as follows:

"Section 1. The Judge of Probate of Limestone County shall be paid a salary in lieu of any other compensation or remuneration for the performance of his duties. All fees, commissions, percentages, and allowances heretofore collectible for the use of the judge of probate shall be collected and paid into the general fund of the county. The salary of the judge of probate shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid. The annual salary of the judge of probate shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the tax assessor of Limestone County, as follows: When the tax assessor's records

show that the gross assessed valuation of such property for the tax year ending on the 30th day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be three thousand and six hundred dollars (\$3,600); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred fifty thousand dollars (\$11,250,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be three thousand eight hundred dollars (\$3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be four thousand dollars (\$4,000); when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be four thousand eight hundred dollars (\$4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more but less than thirteen million five hundred thousand dollars (\$13,500,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be six thousand dollars (\$6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars (\$13,500,000) or more but less than fourteen million dollars (\$14,000,000) the salary of the judge of probate for the year beginning on the first day of the next January shall be six thousand five hundred dollars (\$6,500); and when these records show the gross assessed valuation is fourteen million dollars (\$14,000,000) or more the annual salary of the judge of probate for the succeeding calendar years shall be seven thousand dollars (\$7,000)."

Section 2. Section 2 of said Act No. 201, H. 605, approved July 24, 1947, as amended, is amended further to read as follows:

"Section 2. The judge of probate may employ one chief clerk and three assistant clerks, whose salaries shall be fixed by him and shall be paid by the county. The chief clerk shall receive a salary of not less than one thousand eight hundred dollars (\$1,800) nor more than three thousand dollars (\$3,000) per annum. The assistant clerks shall receive a salary of not less than one thousand two hundred dollars (\$1,200) nor more than two thousand four hundred dollars (\$2,400) per annum."

James M. Dement, Member
State Legislature
Limestone County M23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 24, all in the year 1957.

STEELE McGREW.

Sworn to and subscribed before me May 24, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 400. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis," as amended, is amended further to read as follows:

"Section 1. The tax assessor of Limestone County shall be paid a salary in lieu of any other compensation or remuneration for the performance of his duties, except that he shall be entitled to receive for his own use the fees, commissions, and percentages provided by law for making assessments on behalf of municipalities within the county. All other fees, commissions, and percentages heretofore collectible for the tax assessor's own use shall be collected and paid into the general fund of the county. The tax assessor's salary shall be paid out of the general fund of the county in equal monthly installments as the salaries of county employees are paid. The annual salary of the tax assessor shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records in his office, as follows: When his records show that the gross assessed valua-

tion of such property for the tax year ending on the 30th day of September of any year was less than eleven million dollars (\$11,000,000) his salary for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred fifty thousand dollars (\$11,250,000) his salary for the year beginning on the first day of the next January shall be three thousand eight hundred dollars (\$3,800); when these records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) his salary for the year beginning on the first day of the next January shall be four thousand dollars (\$4,000); when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) his salary for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) his salary for the year beginning on the first day of the next January shall be four thousand eight hundred dollars (\$4,800); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) his salary for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more but less than thirteen million five hundred thousand dollars (\$13,500,000) his salary for the year beginning on the first day of the next January shall be six thousand dollars (\$6,000); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars (\$13,500,000) or more but less than fourteen million dollars (\$14,000,000) his salary for the year beginning on the first day of the next January shall be six thousand five hundred dollars (\$6,500); and when these records show the gross assessed valuation is fourteen million dollars (\$14,000,000) or more his salary for the succeeding calendar years shall be seven thousand dollars (\$7,000)."

Section 2. Section 2 of said Act No. 95, H. 395, approved July 7, 1947, as amended, is amended further to read as follows:

"Section 2. The tax assessor may employ a regular clerk, whose salary shall be fixed by him at not less than one thousand two hundred dollars (\$1,200) nor more than two thousand four hundred dollars (\$2,400) per annum. In addition to the regular clerk the tax assessor may employ a temporary clerk for a period not to exceed three months in any year. The salary of the temporary clerk shall be fixed by the tax assessor at not less than ninety dollars (\$90) nor more than one hundred thirty-five dollars (\$135) per month. The salaries of both clerks shall be paid by the county. The tax assessor shall not employ either clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for the employment of clerks during the ensuing year."

James M. Dement, Member
State Legislature
Limestone County

M23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE McGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 401. Relating to Limestone County: To amend Act No. 354, H. 756, approved August 17, 1953 (Acts of Alabama, 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the compensation of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to repeal all laws or parts of laws in conflict herewith."

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit.

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Limestone County: To amend Act No. 354, H. 756, approved August 17, 1953 (Acts of Alabama, 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the Compensation of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to repeal all laws or parts of laws in conflict herewith."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 354, H. 756, approved August 17, 1953 (Acts of Alabama, 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the compensation of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to repeal all laws or parts of laws in conflict herewith," is amended to read as follows:

"Section 1. Each of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman, shall receive a salary of four thousand two hundred dollars (\$4,200) per annum, payable monthly out of the county treasury."

**James M. Dement, Member
State Legislature
Limestone County**

M23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 402. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and the compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ALABAMA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and the compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and the compensation of a Circuit Clerk of Limestone County,

and for an assistant clerk and his compensation," as amended, is amended further to read as follows:

"A circuit clerk for Limestone County shall be elected by the qualified electors of the county at the general election to be held in the year 1952, and every four years thereafter; the clerk shall hold office for a term of four years, and until a successor is elected and qualified, and his salary shall be paid from the general fund of Limestone County, Alabama, in equal monthly installments. The annual salary of the circuit clerk shall be governed by the gross assessed valuation of property, real and personal, tangible and intangible, in Limestone County, as shown by the records of the tax assessor of Limestone County as follows: When the tax assessor's records show that the gross assessed valuation of such property for the tax year ending on the 30th day of September of any year was less than eleven million dollars (\$11,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be three thousand dollars (\$3,000); when these records show the gross assessed valuation is eleven million dollars (\$11,000,000) or more but less than eleven million two hundred fifty thousand dollars (\$11,250,000) the salary of the circuit clerk shall be three thousand two hundred dollars (\$3,200); when then records show the gross assessed valuation is eleven million two hundred fifty thousand dollars (\$11,250,000) or more but less than eleven million five hundred thousand dollars (\$11,500,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be three thousand four hundred dollars (\$3,400); when these records show the gross assessed valuation is eleven million five hundred thousand dollars (\$11,500,000) or more but less than twelve million dollars (\$12,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be three thousand six hundred dollars (\$3,600); when these records show the gross assessed valuation is twelve million dollars (\$12,000,000) or more but less than twelve million five hundred thousand dollars (\$12,500,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be four thousand two hundred dollars (\$4,200); when these records show the gross assessed valuation is twelve million five hundred thousand dollars (\$12,500,000) or more but less than thirteen million dollars (\$13,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be four thousand and eight hundred dollars (\$4,800); when these records show the gross assessed valuation is thirteen million dollars (\$13,000,000) or more but less than thirteen million five hundred thousand dollars (\$13,500,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be five thousand four hundred dollars (\$5,400); when these records show the gross assessed valuation is thirteen million five hundred thousand dollars (\$13,500,000) or more but less than fourteen million dollars (\$14,000,000) the salary of the circuit clerk for the year beginning on the first day of the next January shall be five thousand nine hundred dollars (\$5,900); and when these records show the gross assessed valuation is fourteen million dollars (\$14,000,000) or more the annual salary of the circuit clerk for the succeeding calendar years shall be six thousand four hundred dollars (\$6,400). The circuit clerk may employ one assistant clerk, whose salary shall be fixed by him at not less than one thousand two hundred dollars (\$1,200) nor more than three thousand dollars (\$3,000) per annum. The salary of the assistant clerk shall be paid in equal monthly installments out of the general fund of the county."

James M. Dement, Member
State Legislature
Limestone County

M23

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE McGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 403. Relating to Limestone County: To fix a minimum salary for school bus drivers employed by the county board of education or the city board of education of any city within the county.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Limestone County: To fix a minimum salary for school bus drivers employed by the county board of education or the city board of education of any city within the county.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person employed by the Board of Education of Limestone County or by the city board of education of any city in Limestone County as a driver of a school bus shall be entitled to receive as compensation for his services as such school bus driver a monthly salary of not less than one hundred dollars (\$100) for each month that he is so employed.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement, Member
State Legislature
County of Limestone **M23**

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 404. To designate the bridge which crosses the Elk River at Elk River Mills, in Limestone County, as "The Grisham Bridge," and to authorize and require the governing body of Limestone County to place certain placques or markers thereon.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To designate the bridge which crosses the Elk River at Elk River Mills, in Limestone County, as "The Grisham Bridge," and to authorize and require the governing body of Limestone County to place certain placques or markers thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The bridge which crosses the Elk River at Elk River Mills, in Limestone County, is hereby designated and shall be known as "The Grisham Bridge."

Section 2. The court of county commissioners, board of revenue or like governing body of Limestone County is hereby authorized, directed, and required to place an appropriate placque or marker on each end of the bridge, which placque or marker shall show the name of the bridge, and the names of the contractor, chairman and members of the county governing body, the name of the county engineer, and the names of the senator and representative representing the county in the Legislature at the time the bridge was completed in the year 1956. The expense of obtaining such placques or markers and placing them upon the bridge shall be paid out of the county treasury by the court of county commissioners, board of revenue or like governing body of Limestone County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement, Member
State Legislature
County of Limestone M23

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 405. To provide for the holding of workshops for the science teachers in the public schools within Limestone County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the holding of workshops for the science teachers in the public schools within Limestone County.

Be It Enacted by the Legislature of Alabama:

Section 1. As a means of stimulating the improvement of science teachers in the public schools within Limestone County, science workshops shall be held annually at such times and at such places as the county board of education of Limestone County shall direct. The workshops shall be conducted in such manner, and under such reasonable rules and regulations not inconsistent with the provisions of this Act, as the county board of education shall prescribe; provided that the character of the instruction therein shall be such as to promote the professional development of the science teachers in the public schools within the county and that an effort be made by the board to secure at least a portion of the instructors or lecturers for such workshops from among the scientists employed at Redstone Arsenal in Madison County.

Section 2. Every person employed as a science teacher by the county board of education of Limestone County, or by any independent city board of education located within the county, shall attend the workshops provided for by this Act, provided that the workshop is held during term time, or during the week immediately preceding the date of opening of the schools in the county or city. All science teachers who attend such workshops shall be paid as for time taught. Any person subject to attendance at any such workshop, who fails to attend a workshop called and held in accordance with the provisions of this Act, shall forfeit his contract of employment with the board of education by which he is employed, and shall be ineligible to employment in the public schools of the State for a period of six months from the date of such delinquency, unless excused as provided in Section 3.

Section 3. The county board of education of Limestone County, or any independent city board of education within the county, may excuse and accept excuses for failure to attend workshops held under the provisions of this Act for extraordinary reasons, and persons so excused shall be deemed to have met all requirements of workshop attendance, but shall not be entitled to pay as for time taught.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement, Member
State Legislature
Limestone County M23

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Holliman:

H. 407. Relating to Marengo County: To amend Section 3 Act No. 198 S. 436 approved July 8, 1949 (Acts of Alabama, Regular Session, 1949, page 229), entitled "An Act to prescribe new, extra and additional duties of the County Supt. of Education of Marengo County, Alabama; to provide additional compensation for the performance of such new, extra and additional duties."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

Notice is hereby give that at the forthcoming regular session of the Legislature of Alabama a local bill pertaining to Marengo County, Alabama, in substantially the following form, will be introduced and application made for its passage, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marengo County; To amend Section 3 of Act No. 198, S. 436, approved July 8, 1949 (Acts of Alabama, Regular Session, 1949, Page 229), entitled "An Act to prescribe new, extra and additional duties of the County Superintendent of Education of Marengo County, Alabama; to provide additional compensation foor the performance of such new, extra and additional duties."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 198, S. 436, approved July 8, 1949 (Acts of Alabama Regular Session, 1949, Page 229), entitled "An Act to prescribe new, extra and additional duties of the County Superintendent of Education of Marengo County, Alabama; to provide additional compensation for the performance of such new, extra and additional duties" is amended to read as follows:

"Section 3. The salary of the County Superintendent of Education of Marengo County shall be fixed by the County Board of Education for the term of said County Superintendent beginning July 1, 1957, at an amount not less than \$5,000.00 and not more than \$7,500.00 a year and shall be paid at the times and in the manner provided by the general laws of the State of Alabama for the payment of salaries of County Superintendents of Education. In like manner, and within said limitations, the salary for succeeding terms shall be fixed by the County Board of Education prior to the beginning of the term of office."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. May2-9-16-23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Democrat Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

R. E. SUTTON.

Sworn to and subscribed before me May 24, 1957.

LENA EARLE DRINKARD,
Notary Public.

Also:

By Messrs. Locke (Perry) and DeSear:

H. 424. For the relief of Mrs. Vera D. Moore of Perry County; authorizing the court of county commissioners, board of revenue, or like governing body of Perry County to compensate the said Mrs. Moore for property damages incurred under such circumstances that said county is morally and justly obligated to pay the same.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of Mrs. Vera D. Moore of Perry County; authorizing the court of county commissioners, board of revenue, or like governing body of Perry County to compensate the said Mrs. Moore for property damages incurred under such circumstances that said county is morally and justly obligated to pay the same.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Perry County is hereby authorized and empowered to appropriate the sum of one hundred thirty-nine dollars and sixty-six cents (\$139.66) from the county treasury to compensate Mrs. Vera D. Moore for property damages sustained by her on or about December 19, 1956, under such circumstances that the county is morally and justly obligated, but has no legal liability to pay the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JUDSON C. LOCKE, SR.
Member of Legislature
of Perry County, Alabama
4-18-4tx.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 18, April 25, May 2, and May 9, all in the year 1957.

Sworn to and subscribed before me May 25, 1957.

W. C. MOORE,
Notary Public.

Also:

By Messrs. Payne and McKay:

H. 425. For the relief of Samuel S. Lee of Talladega County; authorizing the court of county commissioners, board of revenue or like governing body of Talladega County to make an appropriation from the county treasury to compensate Samuel S. Lee for certain damages incurred.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF TALLADEGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(4175:4-11-57)

A BILL TO BE ENTITLED AN ACT

For the relief of Samuel S. Lee of Talladega County; authorizing the court of county commissioners, board of revenue or like governing body of Talladega County to make an appropriation from the county treasury to compensate Samuel S. Lee for certain damages incurred.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or like governing body of Talladega County may, in its discretion, appropriate the sum of one thousand dollars (\$1,000) for the relief of Samuel S. Lee to compensate him for medical expenses incurred as a result of personal injuries suffered in a motor vehicle accident involving an employee of Talladega County on or about July 15, 1954, under such circumstances that the county is morally and justly obligated to pay the damages, but the said Samuel S. Lee has no recourse at law to recover the same.

Section 2. The court of county commissioners, board of revenue or like governing body of Talladega County is authorized to draw or cause to be drawn a warrant on the treasury of said county in favor of Samuel S. Lee for the amount herein stated, and the custodian of county funds is hereby authorized, directed and required to pay the same upon due presentation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

G. K. Leonard, Senator
L. N. Payne, Jr., Representative
C. W. McKay, Jr., Representative

4-4-tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. V. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sylacauga News, a newspaper of general circulation

published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

J. V. GREER.

Sworn to and subscribed before me May 23, 1957.

AVA DEAN KELLEY,
Notary Public, Talladega County, Alabama.

Also:

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa):

H. 427. To change the basis of compensating the coroner of Tallapoosa County, placing such officer on a salary to be paid out of the general fund of the county.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF TALLAPOOSA**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To change the basis of compensating the coroner of Tallapoosa County, placing such officer on a salary to be paid out of the general fund of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Tallapoosa County shall be compensated on a salary basis, and shall be entitled to receive the sum of four hundred twenty dollars per annum, payable in equal monthly installments out of the general fund of the county in the manner prescribed for the payment of the salary of the chief deputy sheriff.

Section 2. The compensation herein provided for the coroner of Tallapoosa County shall be in lieu of all fees, commissions, percentages, and allowances prescribed by law for the performance of the duties of his office. Any fees, commissions, percentages, or allowances not payable by the county which would be collectible for the use of the coroner but for the provisions of this Act shall be paid into the general fund of the county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M-3-10-17-24-c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me May 24th, 1957.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires June 14, 1959.

Also:

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa):

H. 428. Relating to Tallapoosa County; prescribing the salary of the county treasurer of Tallapoosa County, and providing for the manner of payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; prescribing the salary of the treasurer of Tallapoosa County, and providing for the manner of payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The salary of the county treasurer of Tallapoosa County shall be not less than six hundred dollars (\$600) nor more than one thousand and two hundred dollars (\$1,200) per annum, payable in equal monthly installments. The exact amount of the salary provided for herein shall be fixed by the court of county commissioners, board of revenue, or like county governing body of Tallapoosa County. The salary provided for herein shall be the entire compensation of the county treasurer of Tallapoosa County, and shall be in lieu of all other compensation heretofore provided by law for such officer.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M-3-10-17-24-c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me May 24th, 1957.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires June 14, 1959.

Also:

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa):

H. 429. To amend Act No. 337, H. B. 480, approved September 20, 1923 (Local Acts of 1923, pp. 229-231) entitled "An Act To enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court," as amended.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act. No. 337, H. B. 480, approved September 20, 1923 (Local Acts of 1923, pp. 229-231) entitled, "An Act To enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court," as amended.

Be It Enacted by the Legislature of Alabama:

Section 6 of Act No. 337, H. B. 480, approved September 20, 1923 (Local Acts of 1923, pp. 229-231) entitled, "An Act To enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court," as amended, is amended further to read as follows:

"Section 6. The Clerk and Register in Equity of the Circuit Court of Tallapoosa County shall be Clerk and Register of the Circuit Court at Alexander City, and the Clerk of the Circuit Court of said County shall keep offices at the Courthouse at Alexander City where all records, papers and files pertaining to said Court shall be safely kept, and said of-

fice shall be kept open for the transaction of the business of said Court at all reasonable hours. And the Clerk of the Circuit Court of said County shall provide and keep a Deputy Clerk at Alexander City as he is now required by law to do, and such deputy may perform, as deputy all the duties of Register of the Circuit Court in Equity, and for the services as Deputy Clerk and Deputy Register in Equity he or she shall receive not less than twenty-one hundred dollars (\$2100.00) nor more than three thousand dollars (\$3,000) per annum, to be fixed by the governing body of the county and be paid in monthly installments out of the County Treasury, on warrants to be drawn by the Judge of Probate for said County."

M-3-10-17-24-c.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me May 24th, 1957.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires June 14, 1959.

Also:

By Mr. Kelly:

H. 432. To amend further Section 257 of Title 13, Code of Alabama (1940), which fixes the compensation of deputy solicitors in certain counties, by providing for the compensation of the deputy solicitor of Winston County.

Also:

By Mr. Kelly:

H. 250. To provide further for the salary and compensation of the superintendent of education of Winston County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide further for the salary and compensation of the superintendent of education of Winston County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county superintendent of education of Winston County shall be entitled to receive a salary of seven thousand five hundred dollars (\$7,500) per annum. The salary of the superintendent shall be paid in the same manner as is provided by the general laws of Alabama for the payment of salaries of county superintendents of education. In addition to the salary authorized by this Act, the county board of education of Winston County is empowered to fix, approve, and authorize the payment of traveling expenses, not in excess of one thousand dollars \$1,000) annually, actually incurred by the county superintendent of education in the performance of his official duties both within and without the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective July 1, 1957.

J. H. KELLY,
Representative,
Winston County, Ala.

CSE—4-19-26-5-3-10

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 19, April 26, May 3, and May 10, all in the year 1957.

JAY THORNTON.

Sworn to and subscribed before me May 10, 1957.

R. S. THORNTON,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 380, 382, 388, 391, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 407, 424, 425, 427, 428, 429, 432, and 250—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 27. Relative to expressing appreciation to Messrs. Reeves, Boyd and Bassett for delightful entertainment.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions your signature thereto is requested.

H. J. R. 16. Relative to naming the new men's dormitory at Alabama College in honor of Dean Thomas Hewell Napier.

Also:

H. J. R. 18. Relative to the death of Mrs. Jane Strickler Denny, and extending sympathy to the members of her family.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 52. To amend Title 34, Section 74, Code of Alabama, 1940, which relates to contracts between husband and wife, by deleting therefrom the provision prohibiting a wife from becoming the surety for the husband.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Goodwyn, Stokes, Roberts, Brewer, Brown (Lee), Fite, Haltom, Broadfoot, Pruitt, Harrison, Merrill, Steagall, McKay, Hain, Hawkins, Simon, Lackey, Albea, Hall, Nolen, Kendall, Brannan, Brooks, Brassell, Murphy, Tyson, Lee (Barbour), Perry, Vacca, Selman, Dement and Nice:

H. 143. To amend Section 29 of Title 13 of the Code of 1940 as amended.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 143—to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Goodwyn, Stokes, Brewer, Roberts, Brown (Lee), Fite, Hal-
tom, Broadfoot, Pruitt, Harrison, Merrill, Steagall, McKay, Hain,
Hawkins, Simon, Lackey, Albea, Hall, Nolen, Kendall, Brannan,
Brooks, Brassell, Murphy, Tyson, Lee (Barbour), Perry, Vacca, Sel-
man, Dement and Nice:

H. 144. To amend Section 103 of Title 13 of the Code of 1940 as amended.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 144—to the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Branyon, deGraffenried, Brown (Lamar):

H. J. R. 26. Resolved by the House of Representatives, the Senate concurring, that in behalf of the entire membership of the two houses of the Legislature of Alabama this resolution is adopted in tribute to the memory of the late J. V. Tarwater of Fayette, whose death is genuinely mourned. His was a sterling character. Its genuineness was reflected in his gentlemanly demeanor and conduct at all times, his highminded sense of duty, his kindness and understanding.

Resolved further, that a copy of this resolution be sent by the Clerk of the House to Mrs. J. V. Tarwater of Fayette, to Dr. J. V. Tarwater of Tuscaloosa, to Mr. and Mrs. J. P. Crutchen of Fayette, and to Mr. and Mrs. A. K. Callahan of Tuscaloosa.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Newton, the Rules were suspended and the Resolution, H. J. R. 26, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Dement:

H. 394. Relating to Limestone County: To levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments and additions thereto, in an amount equal to thirty-three and one-third per cent of the state levy; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing the purposes for which such proceeds may be used.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County: To levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments and additions thereto, in an amount equal to thirty-three and one-third per cent of the state levy; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing the purposes for which such proceeds may be used.

Be It Enacted by the Legislature of Alabama:

Section 1. In Limestone County there is hereby levied, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, special county privileges or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), and amendments and additions thereto, in an amount equal to thirty-three and one-third per cent of the state levy, as follows:

(1) A privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against the gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged, or continuing within Limestone County in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show

separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer, on the gross sales of the business.

(b) Upon every person, firm or corporation engaged, or continuing within Limestone County, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games, (including athletic contests conducted by or under the auspices of any educational institution within the county, or any athletic association thereof, or other association whether such institution or association be a denominational, a state, a county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Limestone County, an amount equal to one per cent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Limestone County in the business of selling any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one per cent of the gross proceeds of the sale of such automotive vehicle, truck trailer and semi-trailer.

(d) Upon every person, firm, or corporation engaged or continuing within Limestone County in the business of selling any used automobile vehicle or truck trailer or semi-trailer, where such vehicles are bought for the purpose of resale, an amount equal to one-third of one per cent of the gross proceeds of the sale of said automotive vehicles or truck trailer and semi-trailer; provided, however, this subsection shall not apply to the sale of any used automotive vehicle or truck trailer or semi-trailer where it was acquired as part of the consideration for the sale, trade, or exchange, in the county of any new or used motor vehicle, truck trailer or semi-trailer.

(2) (a) An excise tax on the storage, use, or other consumption in Limestone County of tangible personal property purchased at retail on or after the effective date of this Act for storage, use, or other consumption in the county at the rate of one per cent of the sales price of such property, regardless of whether the retailer is or is not engaged in the business in the county, except as provided below in paragraph (b) of this subsection.

(b) An excise tax on the storage, use, or other consumption in Limestone County of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail on or after the effective date of this Act for storage, use, or other consumption in the county at the rate of one-third of one per cent of the sales price of such automotive vehicles, truck trailer, or semi-trailer.

(c) Every person storing, using, or otherwise consuming in Limestone County tangible personal property purchased at retail after the effective date of this Act shall be liable for the tax, and the liability shall not be extinguished until the tax has been paid as provided for by this Act; provided, however, that a receipt from a retailer maintaining a place of business in Limestone County showing the payment of such tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 2. The taxes provided for in Section 1 of this Act shall be subject to all definitions, exceptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection of the taxes.

Section 3. All taxes imposed by this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due to pay such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to, or with reference to, the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes imposed by this Act, and the State Department of Revenue, for the use and benefit of Limestone County, shall collect or enforce such taxes in the manner and form therein provided, and as further provided in Section 4 hereof.

Section 4. The taxes imposed by this Act shall be collected by the State Department of Revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, and all reports now required to be made to the Commissioner of Revenue of the State of Alabama shall, on request of the Department of Revenue, be available for inspection by the chairman of the county governing body of Limestone County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto. It shall be the duty of the Commissioner of Revenue to pay into the State Treasury all collections of taxes made hereunder, and on or before the first day of the following month of Commissioner of Revenue shall certify to the State Comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Limestone County during the calendar month immediately preceding the making of such certificate to the State Treasurer; whereupon it shall be the duty of the State Comptroller to issue his warrant on the State Treasury, payable to the custodian of the county school funds of Limestone County for the amount so certified by the Commissioner of Revenue as having been collected for the use and benefit of Limestone County and paid into the State Treasury. The State Department of Revenue shall charge Limestone County for collecting the taxes levied by this Act a percentage of the taxes to be computed on the basis that the total cost of collecting the State's sales and use taxes bears to the total of state sales and use taxes collected for each fiscal year ending September 30th. Such charge for collecting such taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due Limestone County for such month.

Section 5. The taxes imposed by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Limestone County, except as herein otherwise specifically provided.

Section 6. The taxes levied by this Act shall be due and collectible at the same times and manner as the state sales and use taxes, and as set out in Section 752 through Section 811 and in Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama (1940); and all of the methods and provisions given to the State of Alabama as to the collection of such taxes under the provisions of Section 752 through 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments thereto, are given hereby to Limestone County, and to the State Department of Revenue for Limestone County's use, as to the taxes levied by this Act.

Section 7. The proceeds of the taxes imposed by this Act, when paid to the custodian of the county school funds of Limestone County, as provided in Section 4 of this Act, shall be apportioned and used in the following manner. The custodian of the county school funds of Limestone County shall apportion such proceeds between the county board of education of Limestone County and the city board of education of the City of Athens, Limestone County, on a pro rata basis in proportion to the number of pupils in average daily attendance at school under the jurisdiction of each such board. The amount of such proceeds as are apportioned to the city board of education of the City of Athens shall be used by such board exclusively for public school purposes. The amount of such proceeds as are apportioned to the county board of education of Limestone County shall be used by such board for the creation of a sinking fund for the retirement of capital improvement bonds issued under the authority of special legislation enacted at the current session of the Legislature. After all such bonds have been retired the county board of education shall use its pro rata share of such proceeds for the purchase of new school buses and for the construction, maintenance, repair, and equipment of the school buildings and grounds in the public school system of the county.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement, Member
State Legislature
Limestone County

M23

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me May 25, 1957.

LOLA L. ORR,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 394—to the Committee on Local Legislation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 26. Relative to adjournment of the two Houses to meet again on Tuesday, June 11th, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MOTION TO ADJOURN LOST

At 12:35 P. M., Mr. Davis (Pickens) moved that the Senate do now adjourn until Tuesday, June 11, 1957 at eleven o'clock A. M., which motion was lost.

Yeas 11; Nays 13.

Yeas:

Messrs.:	Davis (Pickens)	Flowers	James
Allen	Dyar	Grisham	Lamberth
Cooper	Eddins	Hall	Newton

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Nays:

Messrs.:	Davis (Lowndes)	Robison	Smith
Boutwell	Little	Shelton	Yarbrough (Autauga)
Bradford	Moses	Skidmore	Yarbrough (Randolph)
Calvin	Reeves		

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REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Speaks, Gist, Harrison, and Brassell:

H. 200. To amend Act No. 593, approved September 19, 1949, which authorized the county governing body of the several counties to purchase equipment or supplies and pay for services performed for the

sheriff reasonably necessary for the suppression of crime, the apprehension of criminals, or the performance of the sheriff's duties.

By Mr. Goodwyn:

H. 141. Relating to the destruction of public records; authorizing the State Treasurer to destroy cancelled state warrants which have been on file in his office for seven years or more, and to destroy the journals pertaining to such old warrants.

By Messrs. Martin, Lee (Barbour), Dement, Kendall, Ramey, Pruitt, Perry, Ferrell, Harvey, Vacca, Albea, Gregory and Mathison:

H. 74. To amend Section 72, Title 45, Code of Alabama, which relates to payment of costs by Board of Corrections.

By Messrs. Martin, Lee (Barbour), Dement, Kendall, Ramey, Pruitt, Perry, Ferrell, Harvey, Vacca, Albea, Gregory and Mathison:

H. 75. To amend further Section 325 of Title 15, Code of Alabama (1940), which relates to specifications of legal punishments.

By Messrs. Hawkins and Martin:

H. 6. To amend Sections 1, 5 and 8 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

By Mr. Reeves:

S. 282. To amend Section 120 of Title 14, Code of Alabama (1940), which relates to the offense of drunkenness.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Robison, Flowers, Goodwin, Cantrell, Leonard and Newton:

S. 274. To amend Section 202 of Title 26, Code of Alabama 1940, as amended, the same relating to contributions by employees under the Alabama Unemployment Compensation Law.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 273. To amend Section 221 of Title 26, Code of Alabama 1940, the same relating to court appeals in unemployment compensation cases.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 272. To amend Section 216 of Title 26, Code of Alabama 1940, as amended, the same pertaining to Determinations under the Alabama Unemployment Compensation Law.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 271. To amend Section 207 of Title 26, Code of Alabama 1940, as amended, the same relating to weekly unemployment benefit amounts.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 270. To amend Section 204 of Title 26, Code of Alabama 1940, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 269. To repeal Section 210 of Title 26, Code of Alabama 1940, the same relating to seasonal employment under the Alabama Unemployment Compensation Law.

By Messrs. Skidmore, Van Antwerp, Metcalf, Boutwell, Allen, Roberts, Robison, Flowers, Goodwin, Cantrell, Leonard and Newton:

S. 268. To amend Sections 197, as amended, 199, and 248, as amend-

ed, of Title 26, Code of Alabama 1940, the same dealing respectively with the Unemployment Compensation Trust Fund, withdrawals from the Unemployment Compensation Trust Fund and the Employment Security Administration Fund, all pertaining to the Unemployment Compensation Law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Cantrell, Goodwin, Robison, Leonard and Newton:

S. 267. To amend Section 266 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' records of injuries under the workmen's compensation law and reports to the department of industrial relations.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 266. To amend Section 304 of Title 26 of the 1940 Code of Alabama to provide that the trial of cases arising under the Workmen's Compensation Act shall be governed by the same rules and statutes as govern the trial of civil cases between the same parties.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 265. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 264. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 263. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 262. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 261. To amend Section 299 of Title 26, Code of Alabama 1940, as amended, the same relating to lump sum payments of benefits under the workmen's compensation law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 260. To amend Section 285 of Title 26, Code of Alabama 1940, as amended, the same relating to the expenses of burial under the workmen's compensation law.

By Messrs. Skidmore, Metcalf, Boutwell, Allen, Roberts, Van Antwerp, Flowers, Goodwin, Robison, Cantrell, Leonard and Newton:

S. 259. To amend Section 279 of Title 26, Code of Alabama 1940, as amended, the same relating to the schedule of compensation under the workmen's compensation law.

By Mr. Reeves:

S. 148. To amend Section 3, of Title 54, Code of Alabama, 1940, which provides for the salary of Deputy Sheriffs.

By Mr. Reeves:

S. 146. To amend Section 75, of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon who consents to return without requisition.

By Mr. Reeves:

S. 145. To Amend Section 72, of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon on requisition for extradition.

By Mr. Jones:

S. 142. To amend Section 164 of Title 47, Code of Alabama (1940), which relates to the power to sell lands under mortgage or other conveyance intended to secure the payment of money.

By Mr. Robison:

S. 116. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

By Mr. Skidmore:

S. 105. To amend Section 21 of an Act approved September 5, 1951, known as the Motor Vehicle Safety-Responsibility Act (Act No. 704, H. 475, Acts of Alabama 1950-51, Vol. II, p. 1224).

By Mr. Boutwell:

S. 102. To provide for a reapportionment of the Legislature of Alabama.

By Mr. Moses:

S. 78. To regulate further the office of circuit solicitor of the Ninth Judicial Circuit of Alabama: **Creating special funds for expenditure by the Circuit Solicitor in law enforcement and in the conduct of his office.**

By Messrs. Shelton, Moses, Dyar, Newton and Roberts:

S. 11. Relating to legislative representation; fixing the membership of the House of Representatives and reapportioning such membership among the several counties; and fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Yarbrough (Randolph), Shelton, Vann, Calvin, Moses, Goodwin, Little, Dyar and Skidmore:

S. 200. To amend Section 179, Title 51, Code of Alabama 1940, as follows:

By Messrs. Yarbrough (Randolph), Shelton, Vann, Calvin, Moses, Goodwin, Little, Dyar and Skidmore:

S. 201. To amend Section 180, Title 51, Code of Alabama 1940 as amended by Act No. 519, H. 212, General Acts of Alabama 1943, page 487.

By Messrs. Yarbrough (Randolph), Shelton, Vann, Calvin, Moses, Goodwin, Little, Dyar and Skidmore:

S. 202. To amend Section 182, Title 51, Code of Alabama 1940, as follows:

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Cooper (with substitute):

S. 143. To regulate purchasing by counties.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Lee (Barbour) et al:

H. 18. To amend further Section 2 of Title 51 of the Code of Alabama, 1940, which relates to exemptions of persons and property from ad valorem taxation.

By Messrs. Locke (Choctaw), Hanby, Wood and Oden:

H. 37. Levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interest in non-producing oil, gas or other minerals, as herein defined; exempting from all ad valorem taxation all such interests hereinafter created or transferred or hereinafter registered; and repealing Act No. 534 of the Laws of Alabama of 1953.

By Mr. Eddins:

S. 50. To amend further Section 172 of Title 55, Code of Alabama (1940), so as to increase the compensation of the Governor.

By Mr. Goodwyn et al:

H. 145. Relating to the compensation of circuit judges in Alabama

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Goodwyn, Hall, Nolen and Dawkins:

H. 364. To amend further Act No. 691, S. 284, approved September 5, 1951 entitled "An Act To fix the compensation of court reporters, and providing for the payment thereof."

By Messrs. Hall, Goodwyn and Nolen (with notice and proof):

H. 146. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

By Mr. Ferrell (with notice and proof):

H. 256. Relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

By Mr. Ferrell (with notice and proof):

H. 257. To Alter or re-arrange the boundary lines of the Town of Rainsville, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

By Mr. Branyon:

H. 259. To apply in but only in counties having a population of not less than 19,200 inhabitants, nor more than 20,200, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties, by whatever name called or designated, to fix the compensation of deputies sheriff.

By Mr. Skidmore:

S. 275. To amend Section 2 of an act approved August 16, 1955, entitled "An Act Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act" (Acts of 1955, Vol. I, p. 592).

By Mr. Newton:

S. 276. To regulate the compensation of certain county employees of all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

By Mr. Robison:

S. 284. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Brown (Lamar):

H. 293. To fix the compensation of the county superintendent of education in all counties having a population of not more than 16,475 nor less than 16,075, according to the last or any subsequent federal decennial census.

By Messrs. McKay and Payne (with notice and proof):

H. 313. Relating to Talladega County: To authorize the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide clerk-hire allowances for certain county officers.

By Mr. Brown (Lamar):

H. 357. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 16,075 nor more than 16,475, according to the last or any subsequent federal decennial census.

Mr. Shelton, Chairman of the Standing Committee on Mining and Manufacturing, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Perry, Selman, Callahan, Branyon and Kaul:

H. 85. To amend Section 29 of an act known as the "Alabama Coal Mine Safety Law of 1949" (Act No. 207, S. 134, Acts of Alabama, Regular Session 1949, p. 242), to provide for the use of milli-second blasting in

conformity with the requirements prescribed by the Bureau of Mines of the United States Department of the Interior.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Roberts and Flowers:

S. 230. To confer on each incorporated municipality in this state having a population of less than 6,000 inhabitants according to the last preceding or any subsequent federal census, or any official census taken pursuant to Article 3 of Chapter 10 of Title 37 of the Code of Alabama of 1940, the same powers for the construction of, and the issuance of securities to finance, street and sidewalk improvements and sewer improvements outside of the corporate limits of such incorporated municipality and within its police jurisdiction as it may have under any law now existing or hereafter enacted respecting the construction of, and the issuance of securities to finance, any such improvements within the corporate limits of such incorporated municipality; to confer on each such incorporated municipality the same powers to assess the cost of any such improvements, whether constructed within the incorporated municipality or outside the municipality and within its police jurisdiction, against the properties specially benefited by such improvements whether such properties are located in such incorporated municipality or outside such municipality and within its police jurisdiction, that it may have under any law now existing or hereafter enacted respecting the assessment against properties located in such incorporated municipality of the cost of such improvements constructed in such municipality; to confer on each such municipality the power to finance any such improvements, constructed outside the incorporated municipality and within its police jurisdiction, by the sale and issuance of bonds payable solely out of the proceeds from assessments against the properties specially benefited by such improvements.

By Messrs. Cooper, Roberts and Flowers:

S. 228. To authorize municipal corporations of the state to charge a higher rate for water, gas, and electricity, use of sewerage, and for services, rendered beyond the corporate limits.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Roberts, Robison and Flowers (with substitute):

S. 225. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

By Messrs. Cooper and Roberts (with substitute):

S. 220. To amend further Section 462 of Title 37 of the Code of 1940 relating to publication and recording of ordinances.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper and Roberts:

S. 217. To further amend Section 402(17), Title 37, of the Code of Alabama 1940, which was last amended by Act No. 116, of the General

Acts of Alabama 1956, relating to the board of directors of municipal corporations for the purpose of owning, operating and financing water, sewer, gas and electric systems.

By Messrs. Cooper and Roberts:

S. 218. To further amend Section 402(30) of Title 37 of the Code of Alabama of 1940 relating to the members and organization of a Board of Water and Sewer Commissioners, which said section was last amended by Act No. 114, approved April 14, 1956, (Acts of 1956, Vol. I, pages 440-441).

By Messrs. Cooper and Roberts:

S. 219. To amend further Section 397 of Title 37 of the Code of Alabama 1940 relating to Board of Directors.

By Messrs. Cooper and Roberts:

S. 221. To amend Section 255 of Title 37 of the Code of Alabama of 1940.

By Messrs. Cooper and Roberts:

S. 252. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

By Messrs. Cooper and Roberts:

S. 253. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

By Messrs. Cooper and Roberts:

S. 223. To amend Sections 2 and 6 of Act No. 175 adopted at the 1951 Regular Session of the Legislature of Alabama pertaining to public corporations organized in municipalities for water, sewer, gas and electric purposes, or any of them, so as to provide that any similar corporation in existence under any other law may amend its certificate of incorporation for the purpose of coming under the provisions of said Act No. 175, and so as to make further provision respecting the vesting in the applicable municipality of title to a system owned by any public corporation organized under said act or whose certificate of incorporation is amended thereunder, and so as to provide that more than one corporation may be in existence at the same time in the same municipality under the provisions of said act.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts (with amendment):

S. 172. To amend Sections 5, 12, 14, 15 and 21 of an Act entitled "An Act to establish in all cities in the State of Alabama, which now have a population of as many as 35,000 and less than 75,000 according to the last Federal Census, or which shall have such population according to any such census that may hereafter be taken, a Policemen and Firemen's Retirement Fund, and to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and a Secretary-Treasurer thereof for such Fund and to provide for their duties, powers, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for hereunder and payment of benefits to widows, orphans, and widowed mothers of such members; to prescribe duties of the city attorney; to provide for payment of expenses by said Board of Trustees; and to provide for appeals from rulings of the Board of Trustees." approved July 9, 1943, as amended by an Act entitled "An Act to amend Sections

5, 12, 15, 17 and 18 of an Act of the Legislature entitled 'An act to establish in all cities in the State of Alabama, which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census, or which shall have such population according to any such census that may hereafter be taken, a Policemen and Firemen's Retirement Fund, and to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and a Secretary-Treasurer thereof for such fund and to provide for their duties, powers, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for hereunder and payment of benefits to widows, orphans, and widowed mothers of such members; to prescribe duties of the city attorney; to provide for payment of expenses by said Board of Trustees; and to provide for payment of expenses by said Board of Trustees; and to provide for appeals from rulings of the Board of Trustees', approved July 9, 1943, Act No. 379, General Acts, 1943, p. 349," approved June 28, 1945.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

S. 173. To repeal an Act of the Legislature entitled "An Act relating to Cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1953, which created and established a retirement system for Policemen and Firemen of such cities (Act No. 379 H. 786, General Acts 1943, page 349", approved August 22, 1951 (1951 Acts page 909).

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the tenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the tenth Legislative Day approved by the Senate.

ADJOURNMENT

At 1:02 P. M., on motion of Mr. Davis (Pickens), and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 11, 1957, at 11 O'clock A. M.

Yeas 19; Nays 8.

Yeas:

Messrs.:	Dyar	Grisham	Little
Allen	Engelhardt	Hall	Moses
Cooper	Flowers	James	Newton
Davis (Lowndes)	Givhan	Jones	Roberts
Davis (Pickens)	Goodwin	Lamberth	Smith

Nays:

Messrs.:
Boutwell
Bradford

Calvin
Reeves

Robison
Tate

Yarbrough (*Autauga*)
Yarbrough (*Randolph*)

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ELEVENTH LEGISLATIVE DAY

Tuesday, June 11, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. C. Byrd Harbour, Pastor, Forest Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:
Allen
Boutwell
Bradford
Calvin
Cantrell
Cooper
Davis (*Lowndes*)
Davis (*Pickens*)

Dyar
Eddins
Engelhardt
Flowers
Givhan
Goodwin
Grisham
Hall
James

Jones
Lamberth
Leonard
Little
Metcalf
Moses
Newton
Reeves
Roberts

Robison
Shelton
Skidmore
Smith
Tate
Van Antwerp
Vann
Yarbrough (*Autauga*)
Yarbrough (*Randolph*)

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 52. To amend Title 34, Section 74, Code of Alabama, 1940, which relates to contracts between husband and wife, by deleting therefrom the provision prohibiting a wife from becoming the surety for the husband.

A. C. SHELTON,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MOTION TO RECESS ADOPTED

Mr. Boutwell moved that in accordance with the provisions of H. J. R. 25, the Senate take a recess at 11:25 A. M. until 2 o'clock this afternoon, which was adopted.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lamberth:

S. 294. To repeal the act approved September 9, 1953, entitled "An Act To authorize life insurance companies of this State to invest in loans to corporations whose securities have been approved by the State Securities Commission of Alabama" (Act No. 539, H. 368, Acts of 1953, Vol. II, p. 755).

Committee on Judiciary.

By Mr. Lamberth (by request):

S. 295. Providing for judicial notice by the courts of this state of the law of other jurisdictions and for proof thereof and to make uniform the law with reference thereto.

Committee on Judiciary.

JOINT SESSION

The hour of 11:25 A. M. having arrived, and in accordance with the provisions of H. J. R. 25, the Senate retired to the hall of the House of Representatives for the purpose of hearing an address by the Honorable S. Ernest Vandiver, Lieutenant Governor of Georgia.

The Session was called to order by Lieutenant Governor Hardwick. A quorum of the Legislature of Alabama was present.

Thereupon, Lieutenant Governor Vandiver was escorted to the chair and delivered an address to the Legislature of Alabama.

The purpose of the joint session having been accomplished, and in accordance with motion heretofore adopted, the Senate took a recess until 2 o'clock this afternoon.

AFTERNOON SESSION

ELEVENTH LEGISLATIVE DAY

Tuesday, June 11, 1957

The Senate reassembled at 2 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Cooper:

S. 296. To amend Section 347 of Title 37 of the Code of Alabama of 1940 so as to provide that if the resolution authorizing the issuance of revenue anticipation bonds under Subdivision 4 of Article 2 of Chapter 6 of Title 37 of the Code of Alabama of 1940 contains a reservation of the right to issue additional bonds payable out of the same revenue on a parity of lien with those issued under said resolution then such additional bonds may be issued with such parity of lien.

Committee on Municipalities and Municipal Organizations.

By Mr. Reeves:

S. 297. To amend Section 133, Title 45, Code of Alabama (1940) relating to removal of prisoners.

Committee on Judiciary.

By Mr. Van Antwerp:

S. 298. Relating to counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census; to provide for the appointment, duties, and compensation of a register of the juvenile court in such counties.

Committee on Local Legislation.

By Messrs. Eddins, Robison, Grisham, Skidmore, Goodwin, Engelhardt, Davis (Pickens), Cooper, Little, Newton, Leonard, Cantrell, Moses, Jones, Van Antwerp, Flowers, Roberts, Lamberth, Tate, Vann and Davis (Lowndes):

S. 299. To designate the first week in October of each year as "EMPLOY THE PHYSICALLY HANDICAPPED WEEK;" to create the Governor's Committee on Employment of the Physically Handicapped; to create a Board of Directors to administer this agency; to provide for its organization and the employment and compensation of its personnel; and to make appropriations for its expenses.

Committee on Finance and Taxation.

By Mr. Cantrell:

S. 300. To amend Section 2 of the Act approved June 23, 1949, which created and established the Board of Revenue in and for Colbert County (Act No. 131, H. 333, 1949 Acts 157).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of the act approved June 23, 1949, which created and established the Board of Revenue in and for Colbert County (Act No. 131, H. 333, 1949 Acts 157).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of the Act approved June 23, 1949, which created and established the Board of Revenue in and for Colbert County (Act No. 131, H. 333, 1949 Acts 157), is hereby amended to read as follows:

"Section 2. For the purposes of this Act Colbert County shall remain divided into four districts as provided by Act No. 184, H. 564, approved June 23, 1945, (Local Acts of Alabama, 1945, page 101), except it is hereby provided that Sections 5, 8 and 17, in Township 4, Range 14, in Colbert County, shall be and hereby are included in and shall form a part of the South West District".

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Louis A. Eckl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 8, February 15, February 22, and March 1st, all in the year 1957.

LOUIS A. ECKL.

Sworn to and subscribed before me this June 3rd, 1957.

L. H. BAKER,
Notary Public.

My commission expires July 25, 1959.

By Mr. Cantrell:

S. 301. To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the hunting of wild deer with a rifle or carbine in the counties of Colbert, Franklin, or Marion, and prescribing the penalty for such offense.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever hunts, pursues, captures, or kills any wild deer with a rifle or carbine in the county of Colbert, Franklin or Marion, at any time, is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars nor more than one hundred dollars.

Section 2. All laws and rules and regulations of the Director of the Department of Conservation which conflict with this Act are repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Louis A. Eckl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Standard & Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on February 8, February 15, February 22, and March 1st, all in the year of 1957.

LOUIS A. ECKL.

Sworn to and subscribed before me this June 3rd., 1957.

L. H. BAKER,
Notary Public.

My commission expires July 25, 1959.

By Messrs. Yarbrough (Randolph) and Moses:

S. 302. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1958, and September 30, 1959, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Committee on Finance and Taxation.

By Mr. Yarbrough (Randolph):

S. 303. To provide the sum of \$50,000, in addition to all other sums heretofore provided, for the payment of awards by the Board of Adjustment made during the fiscal year ending September 30, 1957.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Engelhardt (with notice and proof):

S. 291. To alter, re-arrange, and re-define the boundaries of the City of Tuskegee in Macon County.

By Mr. Huddleston (with notice and proof):

H. 380. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

By Mr. Ferrell (with notice and proof):

H. 382. To allow the Sheriff of DeKalb County, Alabama two additional deputy sheriffs to those now provided by law, and to authorize the DeKalb County Commission to pay the salaries of same; to fix the salaries of said deputies and to make same payable out of the general funds of DeKalb County in monthly installments; to authorize the Sheriff's supervision and control of said deputies, and to provide for the appointment of same.

By Messrs. Ramey and Richardson (with notice and proof):

H. 388. Levying in Hale County, Alabama, additional special privilege or license taxes and excise taxes equalling thirty-three and one-third percentum of, and otherwise paralleling with like provisions in Hale County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, except that only thirty-three and one-third percentum of the State Levy is hereby made and is to be collected hereunder in Hale County and providing for the collection thereof and providing that all such revenue arising from the levy herein made shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

By Mr. Stembridge (with notice and proof):

H. 391. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

By Mr. Dement (with notice and proof):

H. 394. Relating to Limestone County: To levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such states taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments and additions thereto, in an amount equal to thirty-three and one-third per cent of the state levy; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing the purposes for which such proceeds may be used.

By Mr. Dement (with notice and proof):

H. 395. Relating to Limestone County: To amend Act No. 69, S. 262, approved June 14, 1949 (Acts of Alabama, 1949, p. 91), entitled "An Act Relating to Limestone County: To fix the compensation of the Chairman of the Board of Revenue of Limestone County."

By Mr. Dement (with notice and proof):

H. 396. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

By Mr. Dement (with notice and proof):

H. 397. Relating to Limestone County: To amend further Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act Relating to Limestone County: To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

By Mr. Dement (with notice and proof):

H. 398. To change the name of the armory located at Athens, Limestone County, Alabama, from "Fort Shelby Fletcher" to "Fort James G. Dement."

By Mr. Dement (with notice and proof):

H. 399. Relating to Limestone County: To amend further Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

By Mr. Dement (with notice and proof):

H. 400. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

By Mr. Dement (with notice and proof):

H. 401. Relating to Limestone County: To amend Act No. 354, H. 756, approved August 17, 1953 (Acts of Alabama, 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the compensation of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to repeal all laws or parts of laws in conflict herewith."

By Mr. Dement (with notice and proof):

H. 403. Relating to Limestone County: To fix a minimum salary for school bus drivers employed by the county board of education or the city board of education of any city within the county.

By Mr. Dement (with notice and proof):

H. 404. To designate the bridge which crosses the Elk River at Elk River Mills, in Limestone County, as "The Grisham Bridge," and to authorize and require the governing body of Limestone County to place certain plaques or markers thereon.

By Mr. Dement (with notice and proof):

H. 405. To provide for the holding of workshops for the science teachers in the public schools within Limestone County.

By Mr. Holliman (with notice and proof):

H. 407. Relating to Marengo County: To amend Section 3 Act No. 198 S. 436 approved July 8, 1949 (Acts of Alabama, Regular Session, 1949, page 229), entitled "An Act to prescribe new, extra and

additional duties of the County Supt. of Education of Marengo County, Alabama; to provide additional compensation for the performance of such new, extra and additional duties."

By Messrs. Locke (Perry) and DeSear (with notice and proof):

H. 424. For the relief of Mrs. Vera D. Moore of Perry County; authorizing the court of county commissioners, board of revenue, or like governing body of Perry County to compensate the said Mrs. Moore for property damages incurred under such circumstances that said county is morally and justly obligated to pay the same.

By Mr. Dement (with notice and proof):

H. 402. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and the compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

By Messrs. Payne and McKay (with notice and proof):

H. 425. For the relief of Samuel S. Lee of Talladega County; authorizing the court of county commissioners, board of revenue or like governing body of Talladega County to make an appropriation from the county treasury to compensate Samuel S. Lee for certain damages incurred.

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa) (with notice and proof):

H. 427. To change the basis of compensating the coroner of Tallapoosa County, placing such officer on a salary to be paid out of the general fund of the county.

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa) (with notice and proof):

H. 428. Relating to Tallapoosa County; prescribing the salary of the county treasurer of Tallapoosa County, and providing for the manner of payment thereof.

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa) (with notice and proof):

H. 429. To amend Act No. 337, H. B. 480, approved September 20, 1923 (Local Acts of 1923, pp. 229-231) entitled, "An Act To enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court," as amended.

RESOLUTIONS

The Rules Committee offered the following Senate Joint Resolution, to-wit:

S. J. R. 28. BE IT RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Friday, June 14th, 1957.

Which was adopted.

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 29. Be it resolved by the Senate that the following shall be special, paramount, and continuing orders of business for today until disposed of, in the order arranged:

1. Local bills

2. General bills with local application
3. Senate Bill 11 on page 27
4. Senate Bill 102 on page 27

Mr. Robison offered the following substitute for the Resolution, to-wit:

Be it resolved that the following shall be the paramount and continuing order of business for the Senate today upon reaching bills on third readings:

1. All local bills and general bills with local application
2. Senate bill No. 5 on page 7
3. Senate bill No. 11 on page 27 be postponed to the twenty-fifth legislative day.
4. Senate bill No. 102 on page 27 be postponed to the twenty-fifth legislative day.

MOTION TO RECESS LOST

At 2:45 P. M., Mr. Roberts moved that the Senate take a recess for 30 minutes, which motion was lost.

Yeas 6; Nays 22.

Yeas:

Messrs.:	Flowers	Lamberth	Van Antwerp	
Allen	Grisham	Leonard		—6

Nays:

Messrs.:	Eddins	Jones	Smith
Boutwell	Engelhardt	Little	Tate
Bradford	Givhan	Reeves	Vann
Calvin	Goodwin	Roberts	Yarbrough (Autauga)
Cooper	Hall	Robison	Yarbrough (Randolph)
Davis (Lowndes)	James	Shelton	—22

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bills:

By Mr. Edwards (Escambia):

H. 384. To provide for an additional deputy sheriff for Escambia County.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for an additional deputy sheriff for Escambia County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Escambia County is hereby authorized to appoint a deputy sheriff in addition to his chief deputy and all other deputies heretofore provided for by law. He shall perform his duties and exercise authority in such manner as the sheriff may direct. His compensation shall be a salary of two hundred seventy-five dollars \$(275) a month, which shall be paid from the general fund of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MALCOLM EDWARDS,
Representative,
Escambia County. 49-4t

PROOF OF PUBLICATION

STATE OF ALABAMA ESCAMBIA COUNTY

I, W. E. Brooks, owner and publisher of The Brewton Standard, hereby certify that the attached notice is a true and correct copy of notice published in said Brewton Standard once a week for 4 consecutive weeks, namely in the issues of May 2, 1957, May 9, 1957, May 16, 1957, May 23, 1957.

I further certify that the said Brewton Standard is a newspaper printed in the English language in Escambia County, Alabama; that said newspaper has a general circulation in the county in which it is published, and has been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Brewton, Alabama, where it is published, for more than 52 consecutive weeks.

W. E. BROOKS,
By W. E. BROOKS, JR.

Subscribed and sworn to before me this 27 day of May, 1957.

HELEN G. AUGHTMAN,
Notary Public, Escambia County, Ala.

Also:

By Mr. Edwards (Escambia):

H. 385. Relating to Escambia County: To increase the compensation of deputies sheriff of such county, and providing for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County: To increase the compensation of deputies sheriff of such county, and providing for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The chief deputy sheriff and each of the other deputies of the sheriff of Escambia County whose compensation is payable by the county shall each be entitled to receive the sum of thirty-five dollars (\$35) per month in addition to all other amounts prescribed by law which are payable from the county treasury, to be paid in the same maner and at the same time as their other compensation is paid. Provided that this Act shall not apply to any deputy of the sheriff who is employed or appointed pursuant to a local law enacted after May 7, 1957.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month commencing after the date of this enactment.

MALCOLM EDWARDS,
Representative,
Escambia County. 49-4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared William E. Brooks, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the THE BREWTON STANDARD, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1957.

WILLIAM E. BROOKS, JR.

Sworn to and subscribed before me May 23, 1957.

HELEN AUGHTMAN,
Notary Public.

Also:

By Mr. Steagall:

H. 434. Relating to Dale County: To fix the compensation of the Superintendent of Education of such county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County: To fix the compensation of the Superintendent of Education of such county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Superintendent of Education of Dale County shall be entitled to a salary of six thousand dollars (\$6,000) per annum, which shall be paid in monthly installment out of any funds available to the board of education for such purposes.

Section 2. All laws or parts of laws in conflict with this Act are repealed.

Section 3. This Act shall become effective at the expiration of the current term of office of the Superintendent of Education.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9th, May 16th, May 23rd, and May 30th, all in the year 1957.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me this 1st day of June, 1957.

HENRY B. STEAGALL, II,
Notary Public.

Also:

By Messrs. Shumate and Selman:

H. 435. Relating to Walker County; authorizing and providing for the establishment, operation, maintenance, and financing of a public law library in the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County; authorizing and providing for the establishment, operation, maintenance, and financing of a public law library in the county.

Be It Enacted by the Legislature of Alabama:

Section 1. All solicitor's fees hereafter collected in the circuit court of Walker County shall be paid into the county treasury and deposited to the credit of a fund to be known as the Walker County Public Law Library Fund, and shall be expended solely for the creation, operation and maintenance of a public law library in Walker County.

Section 2. The Walker County Public Law Library Fund shall be expended by the Executive Committee of the Walker County Bar Association, which committee shall designate some member of the committee to draw warrants upon the county for the expenditure of these funds. There shall be indicated on such warrants the fund against which the warrants are drawn. The Walker County Public Law Library Fund may be expended to provide suitable quarters furniture, fixture, supplies, and equipment for the library, and to Keep the same in a good state of maintenance and repair; to enlarge, expand, and improve the library and its facilities and equipment; to provide books, reports, and periodicals for the library; and to pay the compensation of a librarian and such other personnel as may be necessary and proper, in the opinion of the committee, to operate the library. The Walker County Public Law Library Fund shall be used primarily to purchase books, reports, and periodicals and to pay the salaries of the library personnel, but to the extent not so used may be otherwise expended for the maintenance of the library.

Section 3. The management of the Walker County Public Law Library is vested in the Executive Committee of the Walker County Bar Association, but all books or other property purchased with the funds produced by this Act shall be the property of Walker County. It is provided, however, that the committee may sell or exchange any such books, reports, periodicals, and personal property and apply the proceeds of the sale thereof, or the value thereof, upon the purchase of other books, reports, periodicals, and personal property for use in the library. The committee may accept any gift or loan of any books, reports, periodicals, and property for public use in the library upon such terms and conditions as may be stipulated by the donor or leader thereof and as may be agreeable to the committee. The Executive Committee of the Walker County Bar Association may appoint such personnel as may be necessary or proper to operate the library.

Section 4. On or before the tenth day of each month, the clerk of the circuit court of Walker County shall pay into the county treasury, for deposit to the credit of the Walker County Public Law Library Fund, the solicitor's fees collected in the trial of cases in the circuit court of the county.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

T. K. SELMAN,
Member, House of Representatives,
Place No. 2

5-9-4 tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1957.

BILL JONES.

Sworn to and subscribed before me June 3, 1957.

LATHAM G. SADDLER,
Notary Public.

Also:

By Messrs. Shumate and Selman:

H. 436. Relating to Walker County: providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA WALKER COUNTY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Walker County: providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue of Walker County is abolished, and there is created in lieu thereof the Board of Finance and Control of Walker County, which shall be composed of a president and four associate members. However, the chairman and other members of the Board of Revenue now in office shall serve as president and associate members, respectively, of the Board of Finance and Control until their successors are elected and qualified as provided in this Act.

Section 2. A president of the Board of Finance and Control shall be elected at the general election to be held in the year 1960, and every four

years thereafter, and shall hold office from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The president of the Board must be a qualified elector of Walker County, and shall be elected by the qualified electors of the entire county.

Section 3. Associate members of the Board shall be elected by the qualified electors of the county at large. The associate members shall be elected at the general election to be held in the year 1960, and every 4 years thereafter, and shall hold office from the first Monday after the second Tuesday in January next following his election and until their successors are elected and qualified. In case of a vacancy, it is to be filled by the Governor and the person so appointed will hold office for the remainder of the term of the President or associate members in whose place he is appointed.

Section 4. The associate members of the Board shall be nominated by the qualified electors of their respective districts. One associate member of the Board must be a resident and qualified elector of District No. 1, one associate member must be a resident and qualified elector of District No. 2, one associate member must be a resident and qualified elector of District No. 3, and one associate member must be a resident and qualified elector of District No. 4. Walker County, Alabama, is hereby divided into four (4) districts as follows: District One shall be composed of Beats one, two, three, twenty-eight, twenty-nine, thirty-three, thirty-six and thirty-eight, as said Beats are now constituted: District No. Two shall be composed of Beats four, five, six, seven, twenty-four, twenty-five, twenty-six, thirty-two, thirty-four and thirty-five, as said Beats are now constituted: District No. Three shall be composed of Beats eight, nine, ten, eleven, twelve, eighteen, nineteen, twenty, twenty-two, twenty-three and thirty-one, as said Beats are now constituted: and District No. Four shall be composed of Beats thirteen, fourteen, fifteen, sixteen, seventeen, twenty-one, twenty-seven, thirty and thirty-seven, as said Beats are now constituted. No person other than a resident and qualified elector of any such District shall be qualified to represent such District on the Board of Finance and Control.

Section 5. The president of the Board of Finance and Control of Walker County shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the Board, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other members of the Board shall be designated by an appropriate resolution of the Board so to do. It shall be his duty to receive and prepare business and obtain information for the sessions of the Board and to see the execution of all orders thereof, and to report to the Board all infractions of the revenue law in the county of which he can obtain authentic information. The president shall exercise all the powers and perform all the duties required by general laws of the probate judges as to matters coming before the courts of county commissioners.

Section 6. The Board of Finance and Control of Walker County shall have all the jurisdiction and powers which are or may hereafter be vested in the courts of county commissioners, boards of revenue or like county governing bodies of this State, except or otherwise in this Act provided; and the members thereof shall perform all the duties and services and exercise all the powers which are, or may be, provided by law for the members of courts of county commissioners, boards of revenue or like county governing bodies of this State. It is provided, however, that neither the Board nor any member thereof shall have authority to rent out, hire, lease, or lend any machinery or equipment acquired, owned, or held by the county for use in the construction, maintenance, or repair of the county public roads and bridges. .

Section 7. The Board of Finance and Control of Walker County is hereby authorized and empowered to equip, maintain, and operate the county-owned hospital known as the People's Hospital, for the care and treatment of the sick, wounded, or infirm, or other persons, in need of hospital treatment, and the county-owned nurses' home, and to make such rules and regulations as are necessary for the proper operation of the hospital and nurses' home. The Board shall operate the hospital mainly as a charitable institution and not for gain or profit, but may admit persons who are able to pay, and charge persons able to pay for admission, to the hospital, and may fix and collect reasonable charges for their care and treatment therein.

Section 8. The president and associate members of the Board of Finance and Control of Walker County shall, at least once every two weeks, make personal inspections of the county jail, The People's Hospital, and the building and grounds formerly known as the Alms House and now used as an old people's home. The members of the Board shall also supervise and approve or disapprove, in advance of purchase, the purchase of all office furniture, stationery, and supplies which are required to be paid for out of the general funds of the county for the use of the county offices and officers of Walker County.

Section 9. The Board of Finance and Control of Walker County may appropriate from the county treasury a sum not in excess of one thousand dollars for the relief of the dependents of any officer or employee of Walker County who is killed in the performance of his duties or while acting within the line and scope of his employment, if such Board is satisfied that the claim is a just and righteous demand against the county, though not legally enforceable, and such dependents have no recourse to the State Board of Adjustment.

Section 10. The Board of Finance and Control of Walker County may employ a chief clerk to the Board, and as many assistant clerks as are reasonably necessary for the convenient and orderly transaction of its business, and may fix their salaries and terms of employment.

Section 11. The Board of Finance and Control shall hold regular meetings on Friday of each week and may hold special meetings upon the call of either the president or two associate members of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meetings the minutes of the previous meeting shall be read, and all minutes shall be open to public inspection at all reasonable times.

Section 12. The members of the Board of Finance and Control shall devote as much time to the performance of their duties as may be necessary for the efficient administration of the Board's affairs. The president of the Board shall receive an annual salary of Sixty Six Hundred dollars (\$6,600.00) and each associate member of the Board shall receive an annual salary of Six Thousand dollars (\$6,000.00). The salaries of the members of the Board shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, as provided by law, and shall be their entire compensation for the services required of them by this Act.

Section 13. Before entering upon the discharge of their duties, the president and associate members of the Board of Finance and Control shall each execute a bond, in the sum of ten thousand dollars (\$10,000) in the case of the president, and in the sum of five thousand dollars (\$5,000) in the case of the associate members. The bonds shall be payable to Walker County, with good and sufficient surety, and shall be conditioned

upon the faithful discharge of their duties of office. The bonds shall be filed and recorded in the office of judge of probate of Walker County, and the premiums thereon shall be paid by the county.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this Act are repealed. Act No. 232, S. 187, approved July 31, 1935, (Local Acts of Alabama, 1935, p. 131); Act No. 435, H. 643, approved July 6, 1945 (Local Acts of Alabama, 1945, p. 186); Act No. 436, H. 644, approved July 6, 1945 (Local Acts of Alabama 1945, p. 186) Act No. 462, H. 934, approved August 25, 1949 (Acts of Alabama, 1949, p. 675); Act No. 337, H. 714, approved August 1, 1951 (Acts of Alabama, 1951 p. 625); and Act No. 298, H. 605, approved August 5, 1953 (Acts of Alabama, 1953, p. 359), are all expressly repealed.

Section 16. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

WALKER CO. BOARD OF REVENUE

Chairman,

T. J. LAND, SR.

District 1—J. H. DEASON

District 2—C. B. GUTHRIE

District 3—SPENCER POE

District 4—JESSE DANIEL

5-9-4Tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me May 30, 1957.

FAYE O'REAR,
Notary Public.

Also:

By Messrs. Money and Gist:

H. 438. To amend further an act approved November 4, 1950 entitled "An Act To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. I, p. 126).

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend further an act approved November 4, 1950 entitled "An Act To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. I, p. 126).

Be it enacted by the Legislature of Alabama:

Section 1. Section 3 of an act approved November 4, 1950, which created a board of revenue for Jackson County and abolished the court of county commissioners of said county (Act No. 65, H. 81, Acts of Alabama 1950-51, Vol. I, p. 126) as amended, is amended further to read as follows:

"Section 3. At the general election in November, 1952, and every four years thereafter, the qualified electors of Jackson County shall elect from the county at large a chairman of the Board of Revenue and a member of the Board of Revenue for each of the four commissioners' districts in the county as they are now constituted. A candidate for chairman of the Board must be a qualified elector and legal resident of Jackson County. Each candidate for associate member of the Board must be a qualified elector and legal resident of the district he seeks to represent. The chairman and members of the Board shall assume office the first Monday after the second Tuesday in January, 1953, and every four years thereafter. They shall hold office for a term of four years and until their successors are elected and qualified. The chairman shall be paid a monthly salary of three hundred dollars (\$300) per month, to be paid from the county treasury; and he shall receive no other compensation except as may be specifically provided herein. Each member of the Board shall receive twelve dollars (\$12) for each day's service, not to exceed forty-eight dollars (\$48) per month and travel expenses of ten cents per mile travelled in attending regular and special meetings of the Board. In addition to all other wages, salary, and other compensation herein provided to be paid the four members of the board, said members shall each be paid, out of the general funds of the county, the sum of twelve hundred dollars (\$1200) per annum, payable in twelve equal monthly installments, to defray the expenses incurred by such members in performing the various duties of their respective offices."

Section 2. Section 8 of said Act No. 65, H. 81, approved November 4, 1950, as amended, is further amended to read as follows:

Section 8. After the first Monday following the second Tuesday in January, 1953, the chairman of the Board shall be required to give his entire time and attention to the business of the Board. He shall sign all warrants or orders for disbursements of money from the county treasury. Claims against the county treasury may be sworn to before the chairman or before any other officer qualified to administer oaths. It

shall be the duty of the chairman to receive and prepare the business of, and to obtain information for the meetings of the Board for the purpose of dispatching the work of the Board. The chairman shall see to the execution of all orders of the Board, and after the first Monday following the second Tuesday in January, 1953, he shall keep the books and records of the Board or personally supervise the same. He shall enter the minutes of all proceedings of the Board in a well-bound book, which shall be provided for that purpose, within five days from the adjournment of every regular or special meeting. The minute book shall be kept in the office of the Board and shall be open to public inspection at all reasonable hours. The chairman shall be entitled to five dollars for recording the minutes of each regular or special meeting of the Board, but such compensation shall not exceed in all twenty dollars for any month. The chairman of the Board shall keep a complete record of all receipts and disbursements of county funds and must be prepared at all times to show the exact financial condition of the county. The chairman may employ a bookkeeper or clerk, who shall receive a salary, to be paid out of the general funds of the county, of not less than twelve hundred dollars (\$1200) nor more than eighteen hundred dollars (\$1800) per annum, payable in equal monthly installments, the exact amount to be fixed by the board of revenue of said county."

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 425A4t

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared P. W. Campbell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the PROGRESSIVE AGE, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 25, May 2, May 9, and May 16, all in the year 1957.

P. W. CAMPBELL.

Sworn to and subscribed before me May 20th, 1957.

JOHN B. TALLEY,
Notary Public.

My commn. expires 2-14-59

Also:

By Mr. Simon:

H. 440. To regulate further the small loan business in Mobile County; to provide remedies to persons from whom usurious interest has been collected by persons, co-partnerships, or corporations engaged in the small loan business; and to prescribe penalties for violations of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further the small loan business in Mobile County; to provide remedies to persons from whom usurious interest has been collected by persons, co-partnerships, or corporations engaged in the small loan business; and to prescribe penalties for violations of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person, co-partnership or corporation engaging in Mobile County in the business of making loans of money or things in action in the amount of three hundred dollars (\$300) or less to employ an outside or out-of-office collector or agent to call on clients in person outside the lender's regular place of business to collect amounts due on loans or interest or other charges thereon except between the hours of 7:00 A. M. and 7:00 P. M.

Section 2. It shall be unlawful for any person, co-partnership or corporation engaging in Mobile County in the business of making loans of money or things in action in the amount of three hundred dollars or less to charge or require any borrower to pay interest in excess of the legal rate. Any borrower from such person, co-partnership or corporation who has been charged and has paid to any such person, co-partnership or corporation more than the legal rate of interest on a loan may recover, in an appropriate action at law commenced within twelve months after the payment of such usurious interest, from such person, co-partnership or corporation not only the amount of interest in excess of the legal rate that he has paid, but the total amount paid as interest and other charges for the making of such loan.

Section 3. Any person, co-partnership or corporation who violates any provision of this Act shall upon conviction thereof be fined not less than two hundred dollars nor more than five hundred dollars.

Section 4. This Act shall not apply to any bank organized and existing under the laws of the State of Alabama, or under the laws of the United States, nor shall this Act apply to any person, firm or corporation engaged in agriculture, nor shall this Act apply to the business of financing of motor vehicles, refrigerators, or other personal property, or to credit unions, as defined by law, or savings and loan associations.

Section 5. The provisions hereof are supplemental to all regulations governing the business of making loans in amounts of three hundred dollars (\$300) or less, prescribed by the general law; but all provisions of law in conflict herewith are hereby repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

OTTO SIMON,
Press, May 6, 13, 20, 27.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, May 6. 13. 20. 27 1957.

W. M. CURRAN.

Sworn to and subscribed before me This 27th day of May 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Hardy, Hain, and Gilmer:

H. 441. Relating to Dallas County: To regulate the compensation of the coroner and to provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dallas County: To regulate the compensation of the coroner and to provide for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Dallas County shall be entitled to receive as compensation for performing the duties of his office a salary of not less than nine hundred dollars (\$900.00) per annum, in lieu of fees, commissions, percentages, or allowances heretofore provided by law. The exact amount of such salary shall be fixed by the board of revenue, court of county commissioners, or other like governing body of Dallas County, and shall be paid in equal monthly installments out of the general fund of the county, in the same manner that the salaries of other county officers and employees are paid.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

26-3-10-17

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said County in said State, this day personally appeared MRS. F. T. RAIFORD, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the SELMA TIMES JOURNAL, a newspaper of general circulation published in DALLAS County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 26, May 3, May 10, and May 17, all in the year 1957.

CORNELIA L. MORRISON,
Notary.

Sworn to and subscribed before me May 17, 1957.

MRS. F. T. RAIFORD,
Pres. & Pub.

Also:

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa):

H. 442. Relating to Tallapoosa County; providing for the compensation of the county superintendent of education; repealing Act No. 88, H. 217, approved June 15, 1953.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; providing for the compensation of the county superintendent of education; repealing Act No. 88, H. 217, approved June 15, 1953.

Be It Enacted by the Legislature of Alabama:

Section 1. The superintendent of education of Tallapoosa County shall be entitled to receive an annual salary of not less than four thousand five hundred nor more than six thousand five hundred dollars, the exact amount of which shall be fixed by the county board of education. Such salary shall be paid in equal installments out of the public school funds of the county.

Section 2. Act. No. 88, H. 217, approved June 15, 1953 (Acts of 1953, Vol. I, p. 132) and all other laws or parts of laws in conflict with this Act are hereby superseded and repealed; but nothing contained herein shall be construed as a repeal of any provision of law providing the superintendent of education of Tallapoosa County with an allowance or allowances for travel or other expenses.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M10-17-24-31-c.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF TALLAPOOSA**

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 10, May 17, May 24, and May 31, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me June 3, 1957.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires June 14, 1959.

Also:

By Messrs. Solomon and Mathison:

H. 443. Relating to all counties in the State having a population of not less than 18,400 nor more than 18,800 inhabitants, according to the last or any subsequent Federal decennial census; to authorize and direct the governing body of any such county to allow and pay to the sheriff an amount not in excess of one hundred dollars (\$100) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business.

Also:

By Messrs. Selman and Shumate:

H. 495. To amend further Section 94, Title 51, Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of boards of equalization, by establishing an additional classification therein.

Also:

By Messrs. Lackey, Vacca, Edwards (Jefferson), Nice, Perry, Kaul and Oden:

H. 326. To vacate certain Streets and portions of Streets and other Public Ways in part of the area in the City of Birmingham lying North of First Avenue North; East of 39th Street; South of the Central of Georgia Railroad right-of-way and West of the Southern Railroad right-of-way.

With notice and proof thereto attached and herewith exhibited as follows:

**NOTICE OF APPLICATION TO LEGISLATURE
FOR LOCAL LEGISLATION**

To Whom It May Concern:

The undersigned will apply to the Legislature of Alabama to request it to adopt, at the Regular Session in 1957, a local law vacating all of the Streets, Avenues and Alleys within the area in the City of Birmingham, Alabama, bounded by the outer boundaries of the tract of land recently acquired by the Housing Authority Of The Birmingham District known as Urban Redevelopment Project, Alabama 2-2, Avondale, Site "C" and also the public ways and streets lying within the boundaries of the prop-

erty of the Grayson Lumber Company; all lying East of North 39th Street; South of the Central of Georgia Railroad right-of-way; North of First Avenue, North, and West of the Southern Railroad right-of-way in the City of Birmingham, Alabama, EXCEPT the following portions of public streets, namely:

That part of 41st Street which lies between the North line of First Avenue North and the South line of 5th Court North projected West to its intersection with 41st Street; that part of 41st Street North which lies between the South line of the Central of Georgia railroad right-of-way and the South line of Lot 14 in Block 2 of Simon Scharff's Addition to Avondale; that part of 7th Avenue North which lies between the East line of 41st Street and the West line of 42nd Place North, and that part of 42nd Place North which lies between the South line of 7th Avenue North and the South line of the Central of Georgia Railway; that part of 6th Court North bounded as follows: Begin where the center line of 6th Court North intersects the West line of 41st Street North; thence West in a straight line parallel with the North line of A. I. Dexter's Survey as recorded in Map Book 9, Page 2 in the Probate Office of Jefferson County, Alabama, projected to its intersection with the East line of 40th Street North; thence South along the East line of 40th Street North 20 feet; thence East to the West line of 41st Street North; thence North 20 feet to the point of beginning.

HOUSING AUTHORITY OF THE BIRMINGHAM DISTRICT.

Post-Herald, April 2, 9, 16, 23, 1957.

STATE OF ALABAMA }
COUNTY OF JEFFERSON }

On this 22nd day of April A. D. one thousand nine hundred and 57 personally appeared before me, J. L. Roberts, a Notary Public in and for the County and State aforesaid, R. P. Hunter, who being duly sworn according to law, declares that he is Secretary-Treasurer of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: April 2, 9, 16, 23, 1957.

Signed R. P. HUNTER.

Subscribed and sworn to before me this 22nd day of April A. D. 1957.

J. L. ROBERTS,
Notary Public.

My Commission Expires Feb. 28, 1960.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 384, 385, 434, 435, 436, 438, 440, 441, 442, 443 and 326—to the Committee on Local Legislation

H. B. 495—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Dawkins:

H. J. R. 27. Extending sympathy to the Hon. Malcolm Edwards on the death of his father, Leroy Marion Edwards

RESOLVED by the House, the Senate concurring, That the members of the Legislature, individually and collectively, do hereby extend to the Hon. Malcolm Edwards of Escambia and his family sincere sympathy on the passing of his father, Leroy Marion Edwards, whose death is deeply mourned.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Rules were suspended and the Resolution, H. J. R. 27, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Oden, deGraffenried, and Dawkins:

H. J. R. 28. Relative to the death of M. C. Giles, of Russellville, Alabama

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature do hereby take note of the death of M. C. Giles, of Russellville, Alabama, the father of Jones Giles, executive secretary of the Alabama Press Association, and extend their sincere sympathy to Jones Giles and his family on the passing of his father.

Be it resolved, further, that the Clerk of the House transmit a copy of this resolution to Jones Giles, at Tuscaloosa.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, H. J. R. 28, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Flowers, further consideration of the Bills H. B.'s 76 and 77 was indefinitely postponed by the Senate.

BILLS ON THIRD READING

The Bill:

H. 256. Relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Van Antwerp
Bradford	Hall	Metcalf	Vann
Calvin	James	Moses	Yarbrough (Autauga)
Cantrell	Jones	Newton	Yarbrough (Randolph)
Eddins	Lamberth		—21

Nays:

—0

The Bill:

H. 151. For the relief of T. B. Jarman; authorizing the court of county commissioners, board of revenue, or like governing body of Sumter County to appropriate and pay from the general fund of the county the sum of five hundred dollars (\$500) to said Jarman as damages for an injury to his property.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Moses	Tate
Cantrell	Grisham	Newton	Van Antwerp
Cooper	Hall	Reeves	Vann
Davis (Lowndes)	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar	Metcalf		—21

Nays:

—0

FURTHER CONSIDERATION OF S. R. 29

The Senate proceeded to further consideration of the Resolution, S. R. 29. The question was on the substitute offered by Mr. Robison for the Resolution.

On motion of Mr. Goodwin, further consideration of the Resolution and pending substitute was postponed temporarily.

BILLS ON THIRD READING RESUMED

The Bill:

S. 140. To provide an expense allowance for each member, other than the president or chairman, of the court of county commissioners, board of revenue or other like governing body of any county having a

population of not less than 29,000 nor more than 29,350, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts	
Allen	Eddins	Lamberth	Robison	
Boutwell	Engelhardt	Leonard	Shelton	
Bradford	Flowers	Little	Skidmore	
Calvin	Givhan	Reeves	Smith	
Davis (Pickens)	Goodwin			—21

Nays:

—0

The Bill:

S. 150. To amend Section 11 of an act heretofore adopted by the Alabama State Legislature for 1956, which such act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956 so that the period at the end of said Section 11 shall be changed to a semicolon and following such semicolon the following words and figures shall be added to said Section 11: 'Provided, that the word 'consecutive' years, as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise qualified from obtaining credit for consecutive years of service by reason of any leave of absence or other temporary non employment as an employee of the City, if such leave of absence or other non employment shall be approved by the City Council of the City of Prichard.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Tate	
Allen	Hall	Reeves	Van Antwerp	
Boutwell	James	Roberts	Vann	
Bradford	Jones	Robison	Yarbrough (Autauga)	
Eddins	Lamberth	Smith	Yarbrough (Randolph)	
Engelhardt	Leonard			—21

Nays:

—0

The Bill:

H. 213. To provide for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County, Alabama, and to provide for their compensation and allowances of expenses.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Dyar	Grisham
Allen	Davis (Lowndes)	Givhan	Hall
Cantrell	Davis (Pickens)	Goodwin	James

Jones	Little	Shelton	Smith	
Lamberth	Metcalf	Skidmore	Tate	
Leonard	Moses			—21

Nays: —0

The Bill:

S. 171. To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as "The Water Works and Sewer Board Employees' Pension and Relief Fund"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payments for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Metcalf	Robison
Cooper	James	Moses	Van Antwerp
Davis (Lowndes)	Jones	Newton	Vann
Davis (Pickens)	Lamberth	Reeves	Yarbrough (Autauga)
Dyar	Leonard	Roberts	Yarbrough (Randolph)
Grisham	Little		—21

Nays: —0

The Bill:

S. 195. To provide for the appointment of bailiffs for the circuit courts of all counties having a population of not less than 135,000 nor more than 225,000 inhabitants, according to the last or any subsequent federal decennial census, to regulate their compensation and provide for the payment thereof.

Was read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Robison
Bradford	Flowers	Moses	Shelton
Calvin	Givhan	Newton	Skidmore
Cantrell	Lamberth	Reeves	Smith
Cooper	Leonard	Roberts	Yarbrough (Randolph)
Eddins	Little		—21

Nays: —0

The Bill:

H. 17. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Reeves	Smith
Allen	Grisham	Roberts	Tate
Boutwell	Hall	Robison	Van Antwerp
Davis (Lowndes)	James	Shelton	Vann
Davis (Pickens)	Jones	Skidmore	Yarbrough (Autauga)
Dyar	Newton		—21

Nays: —0

The Bill:

H. 25. To amend Act No. 183, H. 558, approved June 23, 1945 (Local Acts of Alabama, 1945, page 99) which divided Butler County into four commissioner's districts and provided for the election, tenure of office and compensation of commissioners for each of such districts.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	James	Roberts
Allen	Flowers	Lamberth	Robison
Boutwell	Givhan	Moses	Shelton
Cooper	Goodwin	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Reeves	Yarbrough (Randolph)
Eddins	Hall		—21

Nays: —0

The Bill:

H. 45. To apply in Cleburne County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwin	Moses	
Allen	Davis (Lowndes)	Lamberth	Shelton	
Boutwell	Eddins	Leonard	Skidmore	
Bradford	Engelhardt	Little	Smith	
Calvin	Flowers	Metcalf	Tate	
Cantrell	Givhan			—21

Nays: —0

The Bill:

H. 51. To permit any bank or branch bank located in Colbert County to establish in the municipality of Cherokee, Alabama, one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices, or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Calvin	Givhan	Metcalf	Robison
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Reeves	Yarbrough (Randolph)
Davis (Pickens)	James		

—21

Nays: —0

The Bill:

H. 53. To permit any bank in Coosa County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Roberts	Tate
Allen	Flowers	Robison	Van Antwerp
Boutwell	James	Shelton	Vann
Bradford	Jones	Skidmore	Yarbrough (Autauga)
Dyar	Lamberth	Smith	Yarbrough (Randolph)
Eddins	Leonard		

—21

Nays: —0

The Bill:

H. 78. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Newton	Skidmore
Cantrell	Engelhardt	Reeves	Smith
Cooper	Flowers	Roberts	Vann
Davis (Lowndes)	Givhan	Robison	Yarbrough (Autauga)
Davis (Pickens)	Goodwin	Shelton	Yarbrough (Randolph)
Dyar	Moses		—21

Nays:

—0

The Bill:

H. 99. To prescribe the salary and the manner of payment thereof of certain deputies sheriff for Lamar County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Roberts	Tate
Allen	Hall	Robison	Van Antwerp
Boutwell	James	Shelton	Vann
Flowers	Jones	Skidmore	Yarbrough (Autauga)
Givhan	Newton	Smith	Yarbrough (Randolph)
Goodwin	Reeves		—21

Nays:

—0

The Bill:

H. 107. To provide further for the development of Marion County, conferring on the governing body of said county additional powers and authority to provide for public schools and other county improvements.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Roberts	Tate
Allen	Davis (Lowndes)	Robison	Van Antwerp
Boutwell	Davis (Pickens)	Shelton	Vann
Bradford	Dyar	Skidmore	Yarbrough (Autauga)
Calvin	Eddins	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays:

—0

The Bill:

H. 116. To create and establish the Marion County Superior Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time for sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the Marion County Court and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Flowers	Metcalf	
Allen	Davis (Lowndes)	Givhan	Moses	
Boutwell	Davis (Pickens)	Lamberth	Shelton	
Bradford	Dyar	Leonard	Skidmore	
Calvin	Eddins	Little	Smith	
Cantrell	Engelhardt			—21

Nays: —0

The Bill:

H. 172. To provide for paid leaves of absence for certain employees of Walker County.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL 172

Strike out the words "and five days sick leave" in Section 1 of House Bill 172 and insert in lieu thereof the words "and seven days sick leave."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Tate	
Allen	Hall	Metcalf	Van Antwerp	
Cantrell	James	Moses	Vann	
Cooper	Jones	Newton	Yarbrough (Autauga)	
Eddins	Lamberth	Reeves	Yarbrough (Randolph)	
Engelhardt	Leonard			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Tate	
Allen	Hall	Metcalf	Van Antwerp	
Cantrell	James	Moses	Vann	
Cooper	Jones	Newton	Yarbrough (Autauga)	
Eddins	Lamberth	Reeves	Yarbrough (Randolph)	
Engelhardt	Leonard			—21

Nays: —0

The Bill:

H. 205. To provide the Sheriff of Covington County, Alabama, and additional Deputy Sheriff to those now provided by law; to fix the salary of said deputy and to make the same payable in equal monthly installments from the General Funds of Covington County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Jones	Robison
Allen	Givhan	Moses	Van Antwerp
Boutwell	Goodwin	Newton	Vann
Dyar	Grisham	Reeves	Yarbrough (Autauga)
Eddins	Hall	Roberts	Yarbrough (Randolph)
Engelhardt	James		—21

Nays: —0

The Bill:

H. 206. To increase the minimum and maximum salaries payable to Deputies Sheriff (except the Chief Deputy) of Covington County, Alabama, now authorized under the laws of Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Jones	Moses
Calvin	Givhan	Lamberth	Shelton
Cantrell	Goodwin	Leonard	Skidmore
Cooper	Grisham	Little	Smith
Eddins	Hall	Metcalf	Tate
Engelhardt	James		—21

Nays: —0

The Bill:

H. 211. To alter or re-arrange the boundary lines of the city of Fort Payne, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DaKalb County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Metcalf	Tate
Allen	Grisham	Moses	Van Antwerp
Boutwell	Hall	Shelton	Vann
Bradford	Lamberth	Skidmore	Yarbrough (Autauga)
Calvin	Leonard	Smith	Yarbrough (Randolph)
Cantrell	Little		—21

Nays: —0

The Bill:

H. 223. To alter, re-arrange, and extend the boundaries of the City of Headland in Henry County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Eddins	Givhan
Allen	Davis (Pickens)	Engelhardt	Lamberth
Cooper	Dyar	Flowers	Leonard

Little	Skidmore	Van Antwerp	Yarbrough (Autauga)
Metcalf	Smith	Vann	Yarbrough (Randolph)
Shelton	Tate		—21

Nays: —0

The Bill:

H. 227. Making an appropriation from the treasury of Madison County for the relief of R. B. Massey, to compensate him for property damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal liability and cannot be sued.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Moses	Van Antwerp
Boutwell	Engelhardt	Newton	Vann
Bradford	Flowers	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
Davis (Pickens)	James		—21

Nays: —0

The Bill:

H. 251. To amend Act No. 465, H. 743, approved September 9, 1955 (Acts of Alabama, 1955, p. 1054), entitled "An Act Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Tate
Allen	Davis (Lowndes)	Leonard	Van Antwerp
Boutwell	Davis (Pickens)	Little	Vann
Bradford	Dyar	Roberts	Yarbrough (Autauga)
Calvin	Eddins	Robison	Yarbrough (Randolph)
Cantrell	Engelhardt		—21

Nays: —0

The Bill:

S. 243. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Goodwin	Shelton	Vann
Cantrell	Lamberth		
			—21
<i>Nays:</i>			—0

The Bill:

S. 255. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	Yarbrough (Randolph)
Davis (Pickens)	James		—21
<i>Nays:</i>			—0

The Bill:

H. 146. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Moses	Shelton
Cantrell	Engelhardt	Newton	Skidmore
Cooper	Flowers	Reeves	Smith
Davis (Lowndes)	Givhan	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Goodwin	Robison	Yarbrough (Randolph)
Dyar	Metcalf		—21
<i>Nays:</i>			—0

The Bill:

H. 257. To Alter or re-arrange the boundary lines of the Town of Rainsville, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Little	Roberts	
Allen	Davis (Lowndes)	Metcalf	Robison	
Boutwell	Flowers	Moses	Shelton	
Bradford	Givhan	Newton	Skidmore	
Calvin	Lamberth	Reeves	Smith	
Cantrell	Leonard			—21

Nays: —0

The Bill:

H. 259. To apply in but only in counties having a population of not less than 19,200 inhabitants, nor more than 20,200, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties, by whatever name called or designated, to fix the compensation of deputies sheriff.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Leonard	Reeves	
Allen	Goodwin	Little	Roberts	
Boutwell	Grisham	Metcalf	Robison	
Eddins	Hall	Moses	Yarbrough (Autauga)	
Engelhardt	James	Newton	Yarbrough (Randolph)	
Flowers	Jones			—21

Nays: —0

The Bill:

S. 275. To amend Section 2 of an act approved August 16, 1955, entitled "An Act Relating to counties having a population of not less than 94,000 nor more than 134,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act" (Acts of 1955, Vol. I, p. 592).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate	
Cooper	James	Robison	Van Antwerp	
Davis (Lowndes)	Jones	Shelton	Vann	
Davis (Pickens)	Moses	Skidmore	Yarbrough (Autauga)	
Dyar	Newton	Smith	Yarbrough (Randolph)	
Grisham	Reeves			—21

Nays: —0

The Bill:

S. 276. To regulate the compensation of certain county employees of all counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Newton	
Allen	Davis (Lowndes)	Leonard	Shelton	
Boutwell	Davis (Pickens)	Little	Skidmore	
Bradford	Dyar	Metcalf	Smith	
Calvin	James	Moses	Tate	
Cantrell	Jones			—21

Nays:

—0

The Bill:

H. 293. To fix the compensation of the county superintendent of education in all counties having a population of not more than 16,475 nor less than 16,075, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Newton	Tate	
Allen	Lamberth	Reeves	Van Antwerp	
Boutwell	Leonard	Roberts	Vann	
Bradford	Little	Robison	Yarbrough (Autauga)	
Hall	Metcalf	Smith	Yarbrough (Randolph)	
James	Moses			—21

Nays:

—0

The Bill:

H. 313. Relating to Talladega County: To authorize the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide clerk-hire allowances for certain county officers.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Shelton	
Allen	Eddins	Lamberth	Skidmore	
Boutwell	Goodwin	Leonard	Vann	
Bradford	Grisham	Little	Yarbrough (Autauga)	
Davis (Lowndes)	Hall	Reeves	Yarbrough (Randolph)	
Davis (Pickens)	James			—21

Nays:

—0

The Bill:

H. 357. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 16,075 nor more than 16,475, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Flowers	Leonard	
Allen	Davis (Lowndes)	Givhan	Little	
Boutwell	Davis (Pickens)	Goodwin	Metcalf	
Bradford	Dyar	Grisham	Moses	
Calvin	Eddins	Lamberth	Newton	
Cantrell	Engelhardt			—21

Nays: —0

The Bill:

S. 284. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Was read a third time at length, as required by the Constitution, and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hall	Reeves	
Allen	Engelhardt	James	Roberts	
Boutwell	Flowers	Jones	Robison	
Bradford	Givhan	Moses	Yarbrough (Autauga)	
Calvin	Goodwin	Newton	Yarbrough (Randolph)	
Cantrell	Grisham			—21

Nays: —0

The Bill:

S. 44. Making an appropriation for the relief of B. L. Massengale of Uniontown, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton	
Allen	Engelhardt	Leonard	Skidmore	
Boutwell	Flowers	Moses	Smith	
Bradford	Givhan	Newton	Tate	
Calvin	Goodwin	Reeves	Van Antwerp	
Cantrell	Grisham	Roberts	Yarbrough (Autauga)	
Cooper	James	Robison	Yarbrough (Randolph)	
Davis (Lowndes)	Jones			—21

Nays: —0

The Bill:

H. 6. To amend Sections 1, 5 and 8 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Dyar	James	Shelton
Allen	Eddins	Jones	Skidmore
Boutwell	Engelhardt	Lamberth	Smith
Bradford	Flowers	Leonard	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	Yarbrough (Randolph)
Davis (Pickens)			—32

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 53. To provide for the incorporation of certain public bodies heretofore or hereafter created and established pursuant to Chapter 6 of Title 22, Code of Alabama (1940), and to prescribe the powers of such corporations in relation to the establishment and operation of certain public hospitals.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the eleventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the eleventh Legislative Day approved by the Senate.

ADJOURNMENT

At 4:20 P. M., on motion of Mr. Cantrell, and pending further consideration of S. R. 29, the Senate adjourned until Friday, June 14, 1957, at 10 o'clock A. M.

Yeas 18; Nays 14.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Allen	Flowers	Lamberth	Skidmore
Cantrell	Givhan	Leonard	Van Antwerp
Cooper	Grisham	Moses	Yarbrough (Randolph)
Davis (Pickens)	Hall	Newton	—18

Nays:

Messrs.:	Davis (Lowndes)	James	Smith
Boutwell	Eddins	Reeves	Tate
Bradford	Engelhardt	Robison	Yarbrough (Autauga)
Calvin	Goodwin	Shelton	—14

TWELFTH LEGISLATIVE DAY

FRIDAY, JUNE 14, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The session was opened with prayer by the Reverend R. E. McKee, Pastor, Highland Gardens Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

JOURNAL

On motion of Mr. Boutwell, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday which was the resolution:

S. R. 29. Setting special orders for the day.

The question was on the substitute for the resolution offered by Mr. Robison, which said substitute is set out at length in the Journal of the Senate for the eleventh legislative day.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Tate:

S. 304. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1957.

Committee on Finance and Taxation.

RESOLUTIONS

Mr. Moses offered the following Senate Joint Resolution, to-wit:

S. J. R. 30. WHEREAS the Trustees of Alabama Polytechnic Institute have, subject to approval of the Legislature, resolved that four of the twelve dormitories for women located on the campus of the Institute be named for the following women: Margaret Kate Teague (Mrs. Noe Haggler), Dana King Gatchell, Marie Bankhead Owen, and Helen Keller; therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Trustees of the Alabama Polytechnic Institute are hereby authorized and empowered to name and designate four of the twelve women's dormitories on the campus at Auburn for the women hereinabove named, in accordance with a resolution duly adopted by said Trustees on or about June 4, 1957.

On motion of Mr. Moses, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 31. BE IT RESOLVED By the Senate, the House concurring, that when the two Houses adjourn today, they adjourn to meet again Tuesday, June 18, 1957.

On motion of Mr. Lamberth, the Rules were suspended and the Resolution was adopted by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 53. To provide for the incorporation of certain public bodies heretofore or hereafter created and established pursuant to Chapter 6 of Title 22, Code of Alabama (1940), and to prescribe the powers of such corporations in relation to the establishment and operation of certain public hospitals.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Mr. Dawkins:

H. 134. To provide for licensing manufacturers, distillers, vintners, distributors and producers of alcoholic beverages who sell to the Alabama Alcoholic Beverage Control Board, and to provide for the disposition of monies collected under this act, and to repeal all laws in conflict herewith.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 134—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House Bill:

H. 172. To provide for paid leaves of absence for certain employees of Walker County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 30. Relative to naming four of the twelve dormitories located on the campus of the Alabama Polytechnic Institute.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING

The Bill:

S. 291. To alter, re-arrange, and re-define the boundaries of the City of Tuskegee in Macon County.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Smith
Boutwell	Eddins	Moses	Tate
Bradford	Engelhardt	Newton	Van Antwerp
Calvin	Givhan	Reeves	Vann
Cooper	Hall	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Lamberth		

—21

Nays:

—0

The Bill:

H. 74. To amend Section 72, Title 45, Code of Alabama, which relates to payment of costs by Board of Corrections.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Robison
Allen	Dyar	Jones	Shelton
Boutwell	Eddins	Leonard	Skidmore
Bradford	Engelhardt	Metcalf	Smith
Calvin	Flowers	Moses	Tate
Cantrell	Givhan	Newton	Vann
Cooper	Goodwin	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Roberts	Yarbrough (Randolph)
			—31

Nays:

—0

The Bill:

H. 75. To amend further Section 325 of Title 15, Code of Alabama (1940), which relates to specifications of legal punishments.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Hall	Roberts	Yarbrough (Randolph)
			—31

Nays:

—0

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Reeves, further consideration of the bills S. B. 113 and S. B. 114 was indefinitely postponed by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 6. To amend Sections 1, 5 and 8 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Also:

H. 17. Relating to the municipality of Prattville in Autauga County: To alter and rearrange the boundaries of the City.

Also:

H. 25. To amend Act No. 183, H. 558, approved June 23, 1945 (Local Acts of Alabama, 1945, page 99) which divided Butler County into four commissioner's districts and provided for the election, tenure of office and compensation of commissioners for each of such districts.

Also:

H. 45. To apply in Cleburne County only; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Also:

H. 51. To permit any bank or branch bank located in Colbert County to establish in the municipality of Cherokee, Alabama, one branch bank, branch agency, additional office, or branch place of business in addition to all other branches, agencies, offices, or places of business authorized by law, subject to the approval of the State Superintendent of Banks.

Also:

H. 53. To permit any bank in Coosa County to establish one or more branches, or additional offices or places of business, for the receipt of deposits, payment of checks, lending of money, and doing a general banking business, subject to the approval of the State Superintendent of Banks.

Also:

H. 78. To fix the salary of the Deputy Solicitor for Houston County, Alabama, at thirty-six hundred dollars per year, and to provide for the payment thereof.

Also:

H. 99. To prescribe the salary and the manner of payment thereof of certain deputies sheriff for Lamar County.

Also:

H. 107. To provide further for the development of Marion County, conferring on the governing body of said county additional powers and authority to provide for public schools and other county improvements.

Also:

H. 116. To create and establish the Marion County Superior Court; to define its jurisdiction and powers; to provide for its officers, their appointment, election, term of office, powers, duties and compensation; to provide that the court shall be open at all times for the transaction of business and to authorize the judge to fix the time for sessions for the trial of cases; to empower the court to prescribe its own rules of pleading, practice and procedure; and to give such rules the force and effect of law; to abolish the Marion County Court and transfer all causes pending therein to the court hereby established; and to provide for the transfer of certain causes pending in the circuit court of Marion County.

Also:

H. 146. To alter, rearrange and extend the boundaries of the City of Montgomery so as to include within the corporate limits thereof certain additional territory located in the North Half of Section 22, Township 16N, Range 18E, Montgomery County, Alabama.

Also:

H. 151. For the relief of T. B. Jarman; authorizing the court of county commissioners, board of revenue, or like governing body of Sumter County to appropriate and pay from the general fund of the county the sum of five hundred dollars (\$500) to said Jarman as damages for an injury to his property.

Also:

H. 172. To provide for paid leaves of absence for certain employees of Walker County.

Also:

H. 205. To provide the Sheriff of Covington County, Alabama, and additional Deputy Sheriff to those now provided by law; to fix the salary of said deputy and to make the same payable in equal monthly installments from the General Funds of Covington County, Alabama.

Also:

H. 206. To increase the minimum and maximum salaries payable to Deputies Sheriff (except the Chief Deputy) of Covington County, Alabama, now authorized under the laws of Alabama.

Also:

H. 211. To alter or re-arrange the boundary lines of the city of Fort Payne, DeKalb County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in DeKalb County, Alabama.

Also:

H. 213. To provide for a Chief Deputy Sheriff and other Deputies Sheriff of Elmore County, Alabama, and to provide for their compensation and allowances of expenses.

Also:

H. 223. To alter, re-arrange, and extend the boundaries of the City of Headland in Henry County.

Also:

H. 227. Making an appropriation from the treasury of Madison County for the relief of R. B. Massey, to compensate him for property damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal liability and cannot be sued.

Also:

H. 251. To amend Act No. 465, H. 743, approved September 9, 1955 (Acts of Alabama, 1955, p. 1054), entitled "An Act Relating to the operation of school buses in Winston County; providing that the county board of education shall employ no person as school bus driver unless such person is at least 25 years of age; and requiring the county board of education to pay school bus drivers a prescribed minimum salary, and to cause heaters to be placed in the buses."

Also:

H. 256. Relating to the construction, maintenance and repair of the county roads and bridges of DeKalb County; providing that such roads

and bridges shall be constructed, maintained and repaired by the State Highway Department, and relieving the county and officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including DeKalb County's proportionate share of the state gasoline tax, the county one-cent tax on gasoline, state motor vehicle license taxes allocated to the county, and also for the transfer of supplies, equipment, machinery and materials used in the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Also:

H. 257. To Alter or re-arrange the boundary lines of the Town of Rainsville, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

Also:

H. 259. To apply in but only in counties having a population of not less than 19,200 inhabitants, nor more than 20,200, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties, by whatever name called or designated, to fix the compensation of deputies sheriff.

Also:

H. 293. To fix the compensation of the county superintendent of education in all counties having a population of not more than 16,475 nor less than 16,075, according to the last or any subsequent federal decennial census.

Also:

H. 313. Relating to Talladega County: To authorize the board of revenue, court of county commissioners, or other like governing body of Talladega County to provide clerk-hire allowances for certain county officers.

Also:

H. 357. To regulate further the duties and compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 16,075 nor more than 16,475, according to the last or any subsequent federal decennial census.

Also:

H. J. R. 25. Relative to a joint session of the two Houses for the purpose of hearing an address by The Honorable S. Ernest Vandiver, Lieutenant Governor of the State of Georgia.

Also:

H. J. R. 26. Relative to the death of J. V. Tarwater of Fayette, Alabama and expressing sympathy to the surviving members of his family.

Also:

H. J. R. 27. Relative to the death of Leroy Marion Edwards, extending sympathy to Hon. Malcolm Edwards and his family.

Also:

H. J. R. 28. Relative to death of M. C. Giles, of Russellville, Alabama, and extending sympathy to his son Jones Giles and his family.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the twelfth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the twelfth Legislative Day approved by the Senate.

ADJOURNMENT

At 12:07 P. M., on motion of Mr. Tate and pending further consideration of S. R. 29, the Senate adjourned until Tuesday, June 14, 1957, at twelve o'clock noon.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Flowers	Moses	Tate
Allen	Jones	Newton	Vann
Cantrell	Lamberth	Roberts	Yarbrough (Autauga)
Cooper	Leonard	Skidmore	Yarbrough (Randolph)
Dyar	Metcalf		—17

Nays:

Messrs.:	Davis (Lowndes)	Givhan	Reeves
Boutwell	Davis (Pickens)	Goodwin	Robison
Bradford	Eddins	Grisham	Shelton
Calvin	Engelhardt	Hall	Smith

—15

THIRTEENTH LEGISLATIVE DAY

TUESDAY, JUNE 18, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Dr. H. P. Mathison, Pastor, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 74. To amend Section 72, Title 45, Code of Alabama, which relates to payment of costs by Board of Corrections.

Also:

H. 75. To amend further Section 325 of Title 15, Code of Alabama (1940), which relates to specifications of legal punishments.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled to-wit:

S. J. R. 30. Authorizing and empowering the Trustees of Alabama Polytechnic Institute to name and designate four of the twelve dormitories for women on the campus.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

Mr. Moses offered the following Senate Joint Resolution, to-wit:

S. J. R. 32. BE IT RESOLVED by the Senate, the House concurring, that Senate Joint Resolution No. 30 be known and designated as the "Moses-Summerlin Resolution."

On motion of Mr. Moses, the rules were suspended and the resolution was adopted by the Senate.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday which was the resolution:

S. R. 29. Setting special orders of business.

The question was on the substitute for the resolution offered by Mr. Robison.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Kelly (With Notice and Proof):

H. 250. To provide further for the salary and compensation of the superintendent of education of Winston County.

By Mr. Steagall (With Notice and Proof):

H. 434. Relating to Dale County: To fix the compensation of the Superintendent of Education of such county.

Mr. Smith, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Franklin (With Amendment):

H. 52. Relating to counties having a population of less than eleven thousand nine hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; to provide for the salary of the county superintendent of Education of such counties.

BILLS ON THIRD READING

The Bill:

H. 49. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Colbert County to levy and collect a special school tax of fifty cents on each one hundred dollars worth of taxable property.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Moses	Skidmore
Boutwell	James	Newton	Van Antwerp
Calvin	Jones	Reeves	Vann
Cantrell	Leonard	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Little	Robison	Yarbrough (Randolph)
Engelhardt	Metcalf		—21

Nays: —0

The Bill:

H. 96. Proposing an amendment to the Constitution relative to Lauderdale County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Reeves
Allen	Davis (Pickens)	Grisham	Shelton
Boutwell	Eddins	James	Skidmore
Bradford	Engelhardt	Metcalf	Van Antwerp
Calvin	Flowers	Moses	Vann
Cooper	Givhan		—21

Nays: —0

The Bill:

H. 380. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Skidmore
Boutwell	Flowers	Moses	Tate
Calvin	Goodwin	Reeves	Van Antwerp
Cantrell	James	Roberts	Vann
Cooper	Jones	Shelton	Yarbrough (Autauga)
Dyar	Leonard		—21

Nays: —0

The Bill:

H. 382. To allow the Sheriff of DeKalb County, Alabama two additional deputy sheriffs to those now provided by law, and to authorize the DeKalb County Commission to pay the salaries of same; to fix the

salaries of said deputies and to make same payable out of the general funds of DeKalb County in monthly installments; to authorize the Sheriff's supervision and control of said deputies, and to provide for the appointment of same.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Lamberth	Robison
Boutwell	Givhan	Little	Skidmore
Calvin	Goodwin	Metcalf	Tate
Cooper	Grisham	Moses	Vann
Dyar	Hall	Reeves	Yarbrough (Randolph)
Eddins	James		—21

Nays:

—0

The Bill:

H. 388. Levying in Hale County, Alabama, additional special privilege or license taxes and excise taxes equalling thirty-three and one-third percentum of, and otherwise paralleling with like provisions in Hale County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, except that only thirty-three and one-third percentum of the State Levy is hereby made and is to be collected hereunder in Hale County and providing for the collection thereof and providing that all such revenue arising from the levy herein made shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Metcalf	Skidmore
Bradford	Goodwin	Moses	Smith
Cooper	Hall	Reeves	Tate
Davis (Lowndes)	James	Roberts	Van Antwerp
Dyar	Jones	Shelton	Vann
Engelhardt	Leonard		—21

Nays:

—0

The Bill:

H. 391. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Calvin	Eddins	Givhan
Allen	Cooper	Engelhardt	Grisham
Bradford	Dyar	Flowers	Hall

Jones	Metcalf	Roberts	Smith
Leonard	Newton	Skidmore	Yarbrough (Randolph)
Little	Reeves		—21
Nays:			—0

The Bill:

H. 394. Relating to Limestone County: To levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments and additions thereto, in an amount equal to thirty-three and one-third per cent of the state levy; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing the purposes for which such proceeds may be used.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Little	Skidmore
Allen	Goodwin	Metcalf	Tate
Calvin	Grisham	Newton	Van Antwerp
Cooper	Hall	Reeves	Vann
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Flowers	Leonard		—21
Nays:			—0

The Bill:

H. 395. Relating to Limestone County: To amend Act No. 69, S. 262, approved June 14, 1949 (Acts of Alabama, 1949, p. 91), entitled "An Act Relating to Limestone County: To fix the compensation of the Chairman of the Board of Revenue of Limestone County."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Cooper	Hall	Roberts	Yarbrough (Randolph)
Davis (Pickens)	James		—21
Nays:			—0

The Bill:

H. 396. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Roberts
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Moses	Tate
Cooper	Grisham	Reeves	Vann
Dyar	Hall		

—21

Nays: —0

The Bill:

H. 397. Relating to Limestone County: To amend further Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act Relating to Limestone County: To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Metcalf	Skidmore
Bradford	Grisham	Newton	Tate
Calvin	Hall	Roberts	Van Antwerp
Davis (<i>Pickens</i>)	James	Robison	Vann
Eddins	Jones	Shelton	Yarbrough (<i>Randolph</i>)
Flowers	Little		

—21

Nays: —0

The Bill:

H. 398. To change the name of the armory located at Athens, Limestone County, Alabama, from "Fort Shelby Fletcher" to "Fort James G. Dement."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Leonard	Robison
Bradford	Goodwin	Little	Shelton
Dyar	Grisham	Metcalf	Skidmore
Eddins	Hall	Reeves	Yarbrough (<i>Autauga</i>)
Engelhardt	James	Roberts	Yarbrough (<i>Randolph</i>)
Flowers	Jones		

—21

Nays: —0

The Bill:

H. 399. Relating to Limestone County: To amend further Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	James	Newton
Boutwell	Flowers	Jones	Skidmore
Bradford	Givhan	Leonard	Smith
Calvin	Goodwin	Little	Van Antwerp
Cantrell	Grisham	Moses	Vann
Cooper	Hall		

—21

Nays: —0

The Bill:

H. 400. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Reeves	Smith
Bradford	Lamberth	Roberts	Tate
Cantrell	Leonard	Robison	Vann
Davis (Lowndes)	Little	Shelton	Yarbrough (Autauga)
Givhan	Metcalf	Skidmore	Yarbrough (Randolph)
Goodwin	Moses		

—21

Nays: —0

The Bill:

H. 401. Relating to Limestone County: To amend Act No. 354, H. 756, approved August 17, 1953 (Acts of Alabama, 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the compensation of the members of the Board of Revenue of Limestone County, Alabama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to repeal all laws or parts of laws in conflict herewith."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Roberts
Boutwell	Dyar	James	Tate
Bradford	Eddins	Jones	Van Antwerp
Cantrell	Givhan	Little	Yarbrough (Autauga)
Cooper	Goodwin	Metcalf	Yarbrough (Randolph)
Davis (Lowndes)	Grisham		

—21

Nays: —0

The Bill:

H. 403. Relating to Limestone County: To fix a minimum salary for school bus drivers employed by the county board of education or the city board of education of any city within the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Tate
Allen	Flowers	Metcalf	Van Antwerp
Bradford	Givhan	Reeves	Vann
Cooper	Grisham	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Shelton	Yarbrough (Randolph)
Dyar	Jones		—21

Nays:

—0

The Bill:

H. 404. To designate the bridge which crosses the Elk River at Elk River Mills, in Limestone County, as "The Grisham Bridge," and to authorize and require the governing body of Limestone County to place certain plaques or markers thereon.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Skidmore
Allen	Givhan	Metcalf	Tate
Bradford	Goodwin	Reeves	Vann
Cantrell	Grisham	Robison	Yarbrough (Autauga)
Eddins	James	Shelton	Yarbrough (Randolph)
Engelhardt	Leonard		—21

Nays:

—0

The Bill:

H. 405. To provide for the holding of workshops for the science teachers in the public schools within Limestone County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Skidmore
Allen	Eddins	Little	Smith
Bradford	Engelhardt	Newton	Van Antwerp
Cantrell	Givhan	Reeves	Vann
Cooper	Goodwin	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Grisham		—21

Nays:

—0

The Bill:

H. 407. Relating to Marengo County: To amend Section 3 Act No. 198, S. 436, approved July 8, 1949 (Acts of Alabama, Regular Session, 1949, page 229), entitled "An Act to prescribe new, extra and additional duties of the County Supt. of Education of Marengo County, Alabama; to provide additional compensation for the performance of such new, extra and additional duties."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Tate
Cantrell	Givhan	Moses	Van Antwerp
Cooper	Goodwin	Newton	Vann
Davis (Pickens)	Hall	Reeves	Yarbrough (Autauga)
Eddins	Lamberth	Skidmore	Yarbrough (Randolph)
Engelhardt	Leonard		—21

Nays:

—0

The Bill:

H. 424. For the relief of Mrs. Vera D. Moore of Perry County; authorizing the court of county commissioners, board of revenue, or like governing body of Perry County to compensate the said Mrs. Moore for property damages incurred under such circumstances that said county is morally and justly obligated to pay the same.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Roberts
Boutwell	Dyar	Jones	Shelton
Bradford	Flowers	Leonard	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham		—21

Nays:

—0

The Bill:

H. 402. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and the compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Lamberth	Smith
Allen	Givhan	Leonard	Tate
Bradford	Grisham	Metcalf	Vann
Cantrell	Hall	Moses	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Eddins	Jones		—21

Nays:

—0

The Bill:

H. 425. For the relief of Samuel S. Lee of Talladega County; authorizing the court of county commissioners, board of revenue or like governing body of Talladega County to make an appropriation from the county treasury to compensate Samuel S. Lee for certain damages incurred.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Lamberth	Roberts
Allen	Goodwin	Leonard	Tate
Bradford	Grisham	Little	Van Antwerp
Cantrell	Hall	Metcalf	Yarbrough (Autauga)
Davis (Lowndes)	James	Newton	Yarbrough (Randolph)
Davis (Pickens)	Jones		—21

Nays:

—0

The Bill:

H. 427. To change the basis of compensating the coroner of Tallapoosa County, placing such officer on a salary to be paid out of the general fund of the county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Reeves
Allen	Dyar	Jones	Skidmore
Boutwell	Eddins	Lamberth	Tate
Bradford	Engelhardt	Leonard	Vann
Cantrell	Givhan	Moses	Yarbrough (Autauga)
Cooper	Goodwin		—21

Nays:

—0

The Bill:

H. 428. Relating to Tallapoosa County; prescribing the salary of the county treasurer of Tallapoosa County, and providing for the manner of payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Little	Tate
Allen	Goodwin	Metcalf	Van Antwerp
Cantrell	Grisham	Newton	Vann
Dyar	James	Roberts	Yarbrough (Autauga)
Eddins	Lamberth	Smith	Yarbrough (Randolph)
Engelhardt	Leonard		—21

Nays:

—0

The Bill:

H. 429. To amend Act No. 337, H. B. 480, approved September 20, 1923 (Local Acts of 1923, pp. 229-231) entitled, "An Act To enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court," as amended.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	James	Robison
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Tate
Bradford	Flowers	Moses	Vann
Davis (Lowndes)	Givhan	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Goodwin		—21

Nays:

—0

RESOLUTION

Messrs. Shelton, Yarbrough (Autauga), Hall, Roberts, Smith, Davis (Pickens), Bradford, Tate, Givhan, Cantrell, Leonard, Dyar, Allen, Reeves, Calvin, Little, Skidmore, Yarbrough (Randolph), Moses, Boutwell, James, Goodwin, Flowers, Grisham, Davis (Lowndes), Cooper, Van Antwerp, Jones, and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 33. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the authorities in charge of the capitol grounds are hereby requested to devise and establish an effective system to assure the members of the Legislature of parking spaces on such grounds; that the responsibility for enforcing such system be placed on the Chief of the Service Division, of the State Department of Finance; and that he see to it that on legislative days and committee days there are a sufficient number of parking spaces reserved to provide one space on the capitol grounds for each member of the Legislature.

On motion of Mr. Shelton, the rules were suspended and the resolution adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Flowers:

S. 305. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Houston County shall be entitled to receive the following salaries for the performance of their duties,

and such salary shall be in lieu of all other compensation heretofore provided or prescribed by law:

(a) For the probate judge—eight thousand four hundred dollars (\$8400.00) per annum;

(b) For the tax assessor—six thousand dollars (\$6000.00) per annum;

(c) For the tax collector—six thousand dollars (\$6000.00) per annum;

(d) For the circuit clerk—six thousand dollars (\$6000.00) per annum;

(e) For the judge of The Houston Law and Equity Court—six thousand dollars (\$6000.00) per annum;

(f) For the register of the circuit court—four thousand eight hundred dollars (\$4,800.00) per annum;

(g) For the sheriff—seven thousand five hundred dollars (\$7,500.00) per annum. The sheriff shall also be allowed his necessary expenses incurred in apprehending and returning prisoners from other states, to be paid on requisition filed with and approved by the court of county commissioner, or like governing body of the county, provided that such expenses shall not exceed one thousand dollars (\$1000.00) per annum.

Section 2. The salaries of the officers enumerated in Section 1 of this Act shall be paid in equal monthly installments from the general fund of Houston County as the salaries of employees of the county are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The compensation provided by this Act shall become effective as to each office named herein at the expiration of the term of the incumbent.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 14, 21, 28, and June 4, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me June 12, 1957.

JOHN D. HENDERSON,
Notary Public.

MOTION TO ADJOURN LOST

At 1:30 P. M., Mr. Van Antwerp moved that the Senate do now adjourn until Friday, June 21, 1957 at 10:00 A. M., which motion was lost.

Yeas 9; Nays 23.

Yeas:

Messrs.:	Dyar	Moses	Van Antwerp	
Allen	Flowers	Skidmore	Vann	
Cooper	Lamberth			—9

Nays:

Messrs.:	Eddins	James	Robison	
Boutwell	Engelhardt	Jones	Shelton	
Bradford	Givhan	Little	Smith	
Calvin	Goodwin	Metcalf	Tate	
Davis (Lowndes)	Grisham	Newton	Yarbrough (Autauga)	
Davis (Pickens)	Hall	Reeves	Yarbrough (Randolph)	
				—23

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Dawkins, Mathews, Hawkins, and Hall:

H. 133. To amend Section 10 of Act No. 289, H. 273, approved August 26, 1955 (Acts of Alabama, 1955, Vol. 1, p. 661), which relates to the withholding of state income tax from wages, by providing further for refunds in cases in which there have been overpayments of the tax.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 133—to the Committee on Finance and Taxation.

FURTHER CONSIDERATION OF S. R. 29

The Senate proceeded to further consideration of the resolution:

S. R. 29. Setting special orders of business.

The question was on the substitute for the Resolution offered by Mr. Robison.

MOTION TO ADJOURN LOST

At 2:15 P. M., Mr. Van Antwerp moved that the Senate do now adjourn until Friday, June 21, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs.:	Dyar	Metcalf	Roberts	
Allen	Flowers	Moses	Van Antwerp	
Cantrell	Lamberth			—9

Nays:

Messrs.:	Eddins	Hall	Shelton
Boutwell	Engelhardt	James	Smith
Bradford	Givhan	Jones	Tate
Calvin	Goodwin	Little	Yarbrough (<i>Autauga</i>)
Davis (<i>Lowndes</i>)	Grisham	Robison	Yarbrough (<i>Randolph</i>)
Davis (<i>Pickens</i>)			- 20

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 49. Proposing an amendment to the Constitution of Alabama: To authorize the several school districts of Colbert County to levy and collect a special school tax of fifty cents on each one hundred dollars worth of taxable property.

Also:

H. 96. Proposing an amendment to the Constitution relative to Lauderdale County.

Also:

H. 380. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Tuscumbia in Colbert County, Alabama.

Also:

H. 382. To allow the Sheriff of DeKalb County, Alabama two additional deputy sheriffs to those now provided by law, and to authorize the DeKalb County Commission to pay the salaries of same; to fix the salaries of said deputies and to make same payable out of the general funds of DeKalb County in monthly installments; to authorize the Sheriff's supervision and control of said deputies, and to provide for the appointment of same.

Also:

H. 388. Levying in Hale County, Alabama, additional special privilege or license taxes and excise taxes equalling thirty-three and one-third percentum of, and otherwise paralleling with like provisions in Hale County, such State taxes as are levied by the State of Alabama by Sections 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51 of the Code of Alabama and amendments thereto, except that only thirty-three and one-third percentum of the State Levy is hereby made and is to be collected hereunder in Hale County and providing for the collection thereof and providing that all such revenue arising from the levy herein made shall be used exclusively and solely for acquiring, providing or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, or replacing any such building and acquiring sites therefor; or other capital outlay purposes for public schools within Hale County, Alabama.

Also:

H. 391. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Also:

H. 394. Relating to Limestone County: To levy additional special privilege or license taxes and excise taxes paralleling, with like provisions in the county, such state taxes as are levied by the State of Alabama by Section 752 through Section 811 and Articles 10 and 11 of Chapter 20 of Title 51, Code of Alabama (1940), and amendments and additions thereto, in an amount equal to thirty-three and one-third per cent of the state levy; providing for the enforcement and collection of the tax and the distribution of the proceeds thereof; and prescribing the purposes for which such proceeds may be used.

Also:

H. 395. Relating to Limestone County: To amend Act No. 69, S. 262, approved June 14, 1949 (Acts of Alabama, 1949, p. 91), entitled "An Act Relating to Limestone County: To fix the compensation of the Chairman of the Board of Revenue of Limestone County."

Also:

H. 396. Relating to Limestone County: To amend further Act No. 120, S. 210, approved July 17, 1947 (Local Acts of Alabama, 1947, p. 78), entitled "An Act To change the method of compensating the Tax Collector of Limestone County, placing such officer on a salary basis, and providing for the administration of his office on that basis."

Also:

H. 397. Relating to Limestone County: To amend further Act No. 355, H. 757, approved August 17, 1953 (Acts of Alabama, 1953, p. 423), entitled "An Act Relating to Limestone County: To fix the compensation of the Sheriff of Limestone County and to provide for deputy sheriffs and the compensation thereof, to provide for the feeding of prisoners in Limestone County and regulating the operation of the office of the Sheriff of Limestone County, Alabama, and to repeal all laws in conflict herewith and to provide for the effective date of this act."

Also:

H. 398. To change the name of the armory located at Athens, Limestone County, Alabama, from "Fort Shelby Fletcher" to "Fort James G. Dement."

Also:

H. 399. Relating to Limestone County: To amend further Act No. 201, H. 605, approved July 24, 1947 (Local Acts of Alabama, 1947, p. 120), entitled "An Act To change the method of compensating the Judge of Probate of Limestone County, placing such officer on a salary, and providing clerks for his office."

Also:

H. 400. Relating to Limestone County: To amend further Act No. 95, H. 395, approved July 7, 1947 (Local Acts of Alabama, 1947, p. 67), entitled "An Act To change the method of compensating the Tax Assessor of Limestone County, placing such officer on a salary, and providing for the administration of his office on a salary basis."

Also:

H. 401. Relating to Limestone County: To amend Act No. 354, H. 756, approved August 17, 1953 (Acts of Alabama, 1953, p. 422), entitled "An Act Relating to Limestone County: To fix the compensation of the members of the Board of Revenue of Limestone County, Ala-

bama, other than the Chairman; to provide that the effective date of this act shall be the first Monday after the second Tuesday in January, 1955, and to repeal all laws or parts of laws in conflict herewith."

Also:

H. 402. Relating to Limestone County: To amend further Act No. 200, H. 604, approved July 21, 1947 (Local Acts of Alabama, 1947, p. 119), entitled "An Act To consolidate and combine the officers of Circuit Clerk, Register of the Circuit Court, Clerk of the Limestone County Court, and Register of the Limestone County Court of Limestone County; and to provide for the election, term of office and the compensation of a Circuit Clerk of Limestone County, and for an assistant clerk and his compensation."

Also:

H. 403. Relating to Limestone County: To fix a minimum salary for school bus drivers employed by the county board of education or the city board of education of any city within the county.

Also:

H. 404. To designate the bridge which crosses the Elk River at Elk River Mills, in Limestone County, as "The Grisham Bridge," and to authorize and require the governing body of Limestone County to place certain plaques or markers thereon.

Also:

H. 405. To provide for the holding of workshops for the science teachers in the public schools within Limestone County.

Also:

H. 407. Relating to Marengo County: To amend Section 3 Act No. 198 S. 436 approved July 8, 1949 (Acts of Alabama, Regular Session, 1949, page 229), entitled "An Act to prescribe new, extra and additional duties of the County Supt. of Education of Marengo County, Alabama; to provide additional compensation for the performance of such new, extra and additional duties."

Also:

H. 424. For the relief of Mrs. Vera D. Moore of Perry County; authorizing the court of county commissioners, board of revenue, or like governing body of Perry County to compensate the said Mrs. Moore for property damages incurred under such circumstances that said county is morally and justly obligated to pay the same.

Also:

H. 425. For the relief of Samuel S. Lee of Talladega County; authorizing the court of county commissioners, board of revenue or like governing body of Talladega County to make an appropriation from the county treasury to compensate Samuel S. Lee for certain damages incurred.

Also:

H. 427. To change the basis of compensating the coroner of Tallapoosa County, placing such officer on a salary to be paid out of the general fund of the county.

Also:

H. 428. Relating to Tallapoosa County; prescribing the salary of the county treasurer of Tallapoosa County, and providing for the manner of payment thereof.

Also:

H. 429. To amend Act No. 337, H. B. 480, approved September 20, 1923 (Local Acts of 1923, pp. 229-231) entitled, "An Act To enlarge and extend the jurisdiction of the Circuit Court of Tallapoosa County, Alabama, at Alexander City, in said County, and to provide for the holding of regular terms of said Court," as amended.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MOTION

Mr. Robison moved that when the Senate adjourns today, it adjourn to meet again at 12:01 A. M., Wednesday, June 19, 1957, and the Rules were suspended and said motion adopted by the Senate.

Yeas 19; Nays 10.

Yeas:

Messrs.:	Davis (Lowndes)	Hall	Robison
Boutwell	Davis (Pickens)	James	Shelton
Bradford	Eddins	Jones	Smith
Calvin	Engelhardt	Little	Tate
Cooper	Givhan	Reeves	Yarbrough (Autauga)

—19

Nays:

Messrs.:	Flowers	Metcalf	Roberts
Allen	Grisham	Moses	Yarbrough (Randolph)
Dyar	Lamberth	Newton	

—10

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

HOUSE JOINT RESOLUTION NO. 33

By Mr. Lee (Barbour):

H. J. R. 33. Whereas the role of the Supreme Court in the government of the United States is to interpret and apply the Constitution and laws of the United States as written by the people's representatives; and

Whereas there have been established, through the years, orderly processes for the administration of the judicial functions, which processes have enabled attorneys and other persons to determine with reasonable certainty the law of the land and to govern their affairs accordingly; and

Whereas the establishment of such processes has enabled this nation to found its government on the rule of law, duly enacted by the people's representatives, rather than on the arbitrary powers of men; and

Whereas the Supreme Court of the United States has displayed recently a deplorable tendency to decide cases not on the orderly basis of precedent and the rule of stare decisis, but on the basis of social ideologies not expressed or envisaged in the Constitution or laws of this nation; and

Whereas the Supreme Court of the United States, in abandoning the concept of the rule of law and basing its opinions on social texts written, in some instances, by persons who are not Americans or familiar with its legal, political, and social institutions, has caused much confusion in the law, and has been directly responsible for much of the racial tension evident in the country today; and

Whereas the Supreme Court of the United States in its decisions in the Jencks Case, under which the files of the Federal Bureau of Investigation may be turned directly over to the defense attorneys, and in the case decided only yesterday, in which the Court freed five Communist leaders convicted under the Smith Act and ordered new trials for nine other such Communist leaders, has opened our nation's secrets to the view of Communists and has rendered our nation almost helpless to combat the evil machinations of Communists and Communist sympathizers; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the Legislature of Alabama deplores the recent tendency of the Supreme Court of the United States to base its decisions solely, apparently, on the private views of its members, for in so doing the Court subverts the rule of law, and has caused immeasurable confusion in the law, has precipitated much tension and unrest among our people, and has damaged severely the security of our nation; and that the Legislature of Alabama does hereby urge the members of the Supreme Court of the United States to reverse this tendency and to restore the rule of law to this nation.

Be it further resolved that the Clerk of the House transmit a copy of this resolution to the Supreme Court of the United States.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

Mr. Davis (Pickens) moved that the Rules be suspended and that the Senate concur in and adopt the Resolution, H. J. R. 33, which said Resolution is set out in the foregoing Message from the House.

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

MOTION TO RECESS LOST

At 6:35 P. M., Mr. Van Antwerp moved that the Senate take a recess until 8:30 P. M., which motion was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:
Allen
Cantrell
Cooper

Dyar
Flowers
Grisham
Lamberth

Leonard
Metcalf
Moses
Newton

Roberts
Van Antwerp
Yarbrough (Randolph)

Nays:

Messrs.:	Davis (Pickens)	Hall	Shelton
Boutwell	Eddins	James	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)			—16

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO RECESS LOST

At 7:10 P. M., Mr. Lamberth moved that the Senate take a recess until 10 P. M. tonight, which motion was lost.

Yeas 12; Nays 18.

Yeas:

Messrs.:	Grisham	Metcalf	Van Antwerp
Allen	Lamberth	Moses	Vann
Cantrell	Leonard	Roberts	Yarbrough (Randolph)
Flowers			—12

Nays:

Messrs.:	Davis (Pickens)	James	Shelton
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	—18

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

MOTION TO RECESS LOST

At 7:58 P. M., Mr. Van Antwerp moved that the Senate take a recess until 10 P. M. tonight, which motion was lost.

Yeas 13; Nays 18.

Yeas:

Messrs.:	Grisham	Moses	Van Antwerp
Allen	Lamberth	Roberts	Vann
Cantrell	Leonard	Skidmore	Yarbrough (Randolph)
Flowers	Metcalf		—13

Nays:

Messrs.:	Davis (Pickens)	James	Robison
Bradford	Eddins	Jones	Smith
Calvin	Engelhardt	Little	Tate
Cooper	Givhan	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Reeves	—18

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

MOTION TO RECESS LOST

At 8:30 P. M., Mr. Van Antwerp moved that the Senate recess until 11 o'clock tonight, which motion was lost.

Yeas 10; Nays 18.

Yeas:

Messrs.:	Flowers	Metcalf	Van Antwerp
Allen	Grisham	Moses	Yarbrough (Randolph)
Cantrell	Lamberth	Roberts	—10

Nays:

Messrs.:	Eddins	Jones	Shelton
Boutwell	Engelhardt	Little	Smith
Bradford	Givhan	Newton	Tate
Calvin	Hall	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Robison	—18

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

MOTION TO RECESS LOST

At 9:00 P. M., Mr. Van Antwerp moved that the Senate take a recess until 11 o'clock tonight, which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs.:	Flowers	Leonard	Roberts
Allen	Grisham	Moses	Van Antwerp
Cooper	Lamberth		—9

Nays:

Messrs.:	Engelhardt	Little	Skidmore
Boutwell	Givhan	Newton	Smith
Bradford	Hall	Reeves	Tate
Calvin	James	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Shelton	Yarbrough (Randolph)
Eddins			—20

MOTION TO RECONSIDER

Mr. Cooper moved that the Senate reconsider the vote by which it adopted the motion of Mr. Robison that when the Senate adjourns today it adjourn to meet again at 12:01 A. M., Wednesday, June 19, 1957, and the motion to reconsider was lost.

Yeas 17; Nays 18.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Cooper	Lamberth	Roberts	Yarbrough (Randolph)
Dyar	Leonard		—17

Nays:

Messrs.:	Davis (Pickens)	James	Shelton
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Fate
Calvin	Givhan	Reeves	Yarbrough (Aulaga)
Davis (Lowndes)	Hall	Robison	—18

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Thirteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Thirteenth Legislative Day approved by the Senate.

ADJOURNMENT

The hour of twelve o'clock midnight having arrived the President and Presiding Officer of the Senate declared the Senate adjourned, pending further consideration of S. R. 29 and H. J. R. 33, to meet again, in accordance with motion heretofore adopted, at 12:01 A. M., Wednesday, June 19, 1957.

FOURTEENTH LEGISLATIVE DAY

WEDNESDAY, JUNE 19, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Honorable George W. Yarbrough, Senator from the 9th District.

ROLL CALL

Present:

Messrs.:	Cooper	Flowers	Lamberth
Allen	Davis (Lowndes)	Givhan	Leonard
Boutwell	Davis (Pickens)	Grisham	Little
Bradford	Dyar	Hall	Metcalf
Calvin	Eddins	James	Moses
Cantrell	Engelhardt	Jones	Newton

Reeves	Shelton	Tate	Yarbrough (Autauga)
Roberts	Skidmore	Van Antwerp	Yarbrough (Randolph)
Robison	Smith	Vann	—34

JOURNAL

On motion of Mr. Calvin, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Dyar	Hall	Robison
Boutwell	Eddins	James	Shelton
Bradford	Engelhardt	Jones	Smith
Calvin	Flowers	Little	Tate
Cooper	Givhan	Newton	Vann
Davis (Lowndes)	Grisham	Reeves	Yarbrough (Autauga)
Davis (Pickens)			—24

Nays:

Messrs.:	Lamberth	Moses	Van Antwerp
Allen	Leonard	Roberts	Yarbrough (Randolph)
Cantrell	Metcalf		—9

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday, the first of which was the resolution:

H. J. R. 33. That the Legislature of Alabama deplores the recent tendency of the Supreme Court of the United States to base its decisions solely, apparently, on the private views of its members, for in so doing the Court subverts the rule of law, and has caused immeasurable confusion in the law, has precipitated much tension and unrest among our people, and has damaged severely the security of our nation.

The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO ADJOURN LOST

At 12:10 A. M. Mr. Allen moved that the Senate adjourn until Friday, June 21, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Flowers	Metcalf	Van Antwerp
Allen	Grisham	Moses	Vann
Cooper	Lamberth	Newton	Yarbrough (Randolph)
Dyar	Leonard	Roberts	—14

Nays:

Messrs.:	Davis (Pickens)	James	Shelton
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Wood:

H. 437. To fix the compensation of the county superintendent of education of Washington County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WASHINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of the county superintendent of education of Washington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county superintendent of education of Washington County shall be paid a salary of five thousand four hundred dollars (\$5,400) per annum, which shall be paid from the school funds of the county in equal monthly installments.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on July 1, 1957, or upon its enactment if enacted after that date.

5-9-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared N. B. Stallworth, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Washington County News, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1957.

N. B. STALLWORTH.

Sworn to and subscribed before me May 30, 1957.

ETHEL S. JENKINS,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The house bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 437—to the Committee on Local Legislation.

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO ADJOURN LOST

At 1:20 A. M., Mr. Metcalf moved that the Senate adjourn until Friday, June 21, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Flowers	Moses	Van Antwerp
Cantrell	Lamberth	Newton	Vann
Cooper	Leonard	Roberts	Yarbrough (Randolph)
Dyar	Metcalf		—13

Nays:

Messrs.:	Davis (Pickens)	James	Robison
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO RECESS LOST

At 3:10 A. M., Mr. Van Antwerp moved that the Senate take a recess until 12 o'clock Noon today, which motion was lost.

Yeas 3; Nays 18.

Yeas: Messrs.: Allen, Lamberth, Van Antwerp —3

Nays:

Messrs.:	Davis (Pickens)	Hall	Robison
Boutwell	Eddins	James	Smith
Bradford	Engelhardt	Jones	Tate
Calvin	Flowers	Little	Yarbrough (Autauga)
Davis (Lowndes)	Givhan	Reeves	—18

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO RECESS LOST

At 3:45 A. M., Mr. Van Antwerp moved that the Senate take a recess until 12 o'clock Noon today, which motion was lost.

Yeas 0; Nays 19.

Yeas: —0

Nays:

Messrs.:	Davis (Pickens)	Hall	Reeves
Boutwell	Eddins	James	Robison
Bradford	Engelhardt	Jones	Tate
Calvin	Flowers	Little	Van Antwerp
Davis (Lowndes)	Givhan	Metcalf	Yarbrough (Autauga)

—19

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

BILL ON THIRD READING

The Bill:

H. 52. Relating to counties having a population of less than eleven thousand nine hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; to provide for the salary of the county superintendent of Education of such counties.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT TO HOUSE BILL NO. 52

Amend Section 2 of House Bill No. 52 by striking therefrom the words "nor more than six thousand dollars (\$6,000) a year" and insert in lieu thereof the words "nor more than fifty-four hundred dollars (\$5,400) a year."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	James	Roberts
Allen	Eddins	Leonard	Skidmore
Bradford	Flowers	Little	Tate
Calvin	Goodwin	Moses	Van Antwerp
Davis (Lowndes)	Grisham	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Hall		

—21

Nays: —0

And said Bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Boutwell	Engelhardt	Little	Tate
Bradford	Flowers	Moses	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones		

—21

Nays: —0

MOTION TO RECESS LOST

At 4:15 A. M., Mr. Van Antwerp moved that the Senate take a recess until 12 o'clock Noon today, which motion was lost.

Yeas 2; Nays 17.

Yeas: Messrs.: Flowers and Van Antwerp —2

Nays:

Messrs.:	Davis (Pickens)	James	Robison
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO RECESS LOST

At 4:45 A. M., Mr. Van Antwerp moved that the Senate take a recess until 12 o'clock Noon today, which motion was lost.

Yea 1; Nays 17.

Yea: Mr. Van Antwerp —1

Nays:

Messrs.:	Davis (Pickens)	James	Robison
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO RECESS LOST

At 5:15 A. M., Mr. Van Antwerp moved that the Senate take a recess until 1 o'clock today, which motion was lost.

Yeas 2; Nays 17.

Yeas: Messrs.: Lamberth and Van Antwerp —2

Nays:

Messrs.:	Davis (Pickens)	James	Robison
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION TO RECESS LOST

At 5:45 A. M. Mr. Van Antwerp moved that the Senate take a recess until 2 o'clock today, which motion was lost.

Yeas 3; Nays 17.

Yeas: Messrs.: Flowers, Lamberth, and Van Antwerp —3

Nays:

Messrs.:	Davis (Pickens)	James	Robison
Boutwell	Eddins	Jones	Smith
Bradford	Engelhardt	Little	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the rules and concur in and adopt the resolution.

MOTION

Mr. Davis (Pickens) moved that when the Senate adjourns today, it adjourn to meet again at 12:01 A. M., Thursday, June 20, 1957. The rules were suspended and the motion was adopted by the Senate.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Robison
Boutwell	Engelhardt	Lamberth	Smith
Bradford	Flowers	Little	Tate
Calvin	Givhan	Reeves	Van Antwerp
Davis (Lowndes)	Hall	Roberts	Yarbrough (Autauga)
Davis (Pickens)	James		—21

Nays: —0

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

MOTION TO RECESS ADOPTED

At 7.05 A. M. on motion of Mr. Flowers, pending further consideration of S. R. 29 and H. J. R. 33, the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION

FOURTEENTH LEGISLATIVE DAY

WEDNESDAY, JUNE 19, 1957

The Senate reassembled at 3 o'clock P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the unfinished business, which was the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

RECESS

At 3:45 P. M., on motion of Mr. Givhan, the Senate took a recess until 4:20 P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

FURTHER CONSIDERATION AF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution.

RECESS

At 5:30 P. M., on motion of Mr. Givhan, the Senate took a recess until 6 o'clock P. M.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Cantrell	Eddins	Grisham
Allen	Cooper	Engelhardt	Hall
Boutwell	Davis (Lowndes)	Flowers	James
Bradford	Davis (Pickens)	Givhan	Jones
Calvin	Dyar	Goodwin	Lamberth

Leonard	Newton	Shelton	Van Antwerp
Little	Reeves	Skidmore	Vann
Metcalf	Roberts	Smith	Yarbrough (Autauga)
Moses	Robison	Tate	Yarbrough (Randolph)

—35

FURTHER CONSIDERATION OF H. J. R. 33

The Senate proceeded to further consideration of the Resolution, H. J. R. 33. The question was on the motion of Mr. Davis (Pickens) to suspend the Rules and concur in and adopt the Resolution. The Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 33.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the Unfinished Business, which was the Resolution:

S. R. 29. Setting special orders of business

The question was on the substitute for the Resolution offered by Mr. Robison, which said substitute is set out at length in the Journal of the Senate for the Eleventh Legislative Day. On motion of Mr. Robison, the substitute was laid on the table.

On motion of Mr. Lamberth, the Resolution, S. R. 29 was laid on the table.

MOTION TO RECONSIDER ADOPTED

On motion of Mr. Smith, the Senate reconsidered the vote by which it adopted the motion that when the Senate adjourns today, it adjourn to meet again Thursday, June 20, 1957, at 12:01 A. M.

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Robison, further consideration of the Bill, S. B. 5 was postponed to the 22nd Legislative Day.

On motion of Mr. Robison, further consideration of the Bill, S. B. 11 was postponed to the 22nd Legislative Day.

On motion of Mr. Robison, further consideration of the Bill, S. B. 102 was postponed to the 22nd Legislative Day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint resolution:

S. J. R. 15. Relative to discharging Committee created under S. J. R. 68, approved September 2, 1955.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 32. Relative to naming Senate Joint Resolution No. 30, the "Moses-Summerlin Resolution."

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Martin:

H. J. R. 34. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that House Bill 74 and House Bill 75, be named the Reeves, Hall, Martin, Lee (Barbour), Dement, Kendall, Ramey, Gregory, Pruitt, Perry, Ferrell, Harvey, Vacca, Albea, and Mathison bills.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Robison, the Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 34, which said Resolution is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Broadfoot and Reynolds:

H. J. R. 31. Whereas the members of the Legislature have learned of the birth, on Saturday, June 8, 1957, of Miss Ann Louise Roberts, the daughter of our esteemed colleague, Roscoe Roberts; and

Whereas the members of the Legislature, judging from the productivity of our colleague, now understand why the City of Huntsville has the reputation of being the fastest growing city in Alabama; and

Whereas the members of the Legislature desire to congratulate our esteemed colleague from the City of Huntsville upon the birth of his daughter and to commend him for his noteworthy contribution to the growth of said city; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature do hereby extend their warmest congratulations to Representative Roscoe Roberts, upon the birth of his daughter, Ann Louise Roberts, and do extend their best wishes for health and happiness to this young lady, to her charming mother, and to our colleague, Representative Roberts.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Vann, the Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 31, which said Resolution is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Steagall, Lackey, Nice, Adams (Jefferson), Vacca, Edwards (Jefferson) and Perry:

H. J. R. 32. Whereas Major Waldo Emerson Ard, of Ozark, retired army officer and close student of government and the Bible, represented Dale County in the House of Representatives of the Legislature of Alabama, during the Sparks administration; and

Whereas Major Ard had a distinguished career as a soldier, having been decorated for valor in World War I, and was an officer and active supporter of the National Guard of this State; and

Whereas Major Ard represented the people of his county and State faithfully and well during his term as a member of the House; and

Whereas the Legislature notes with deep regret the recent passing of this distinguished citizen of our State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature deeply mourn the passing of Major Waldo Emerson Ard, and express their most heartfelt sympathy to the surviving members of his family.

Be it resolved, further, that a copy of this resolution be spread upon the journal of the House of Representatives, and that a copy hereof be transmitted by the Clerk of the House to the bereaved widow, Mrs. Sue Kolb Ard.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Metcalf, the Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 32, which said Resolution is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Mathison and Solomon:

H. 521. To amend further Section 1 of the act approved May 25, 1945, which regulates the compensation of the superintendent of education of Henry County (Act No. 30, S. 99, Local Acts of 1945, p. 39).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Notice is hereby given that a bill will be introduced at the current session of the Legislature and its passage insisted upon which will be substantially as follows:

A Bill to be entitled AN ACT to amend local Act No. 53 of the regular session of the legislature of Alabama in 1953 found in Volume 1, Page 74 of the Acts of the Legislature of 1953, as follows:

Section 1. The Board of Education of Henry County, Alabama is hereby authorized to fix the salary of the County Superintendent of Education of the County at not less than \$3,000.00 nor more than \$6,000.00 per annum, to be paid at the time and in the manner now provided by the general law for the payment of salaries of County Superintendents of Education.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming law.

May 16-23-30 June 6c .

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
HENRY COUNTY

Before me, A. C. Richards, a Notary Public in and for said County, in said State, personally appeared J. Edward Dodd, who is known to me, and who by me being duly sworn, deposes and says that he is the Publisher of The Abbeville Herald, a newspaper published in the town of Abbeville, County of Henry, State of Alabama; that the attached notice is a true and correct copy of the notice which was published in said newspaper for four consecutive weeks, on, to-wit: May 16, 1957, May 23, 1957, May 30, 1957, June 6, 1957, The Abbeville Herald.

J. EDWARD DODD.

Sworn to and subscribed before me, this 10 day of June, 1957.

A. C. RICHARDS,
N. P.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee as follows:

H. 521—To the Committee on Local Legislation

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the

Journal of the Senate for the Fourteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Fourteenth Legislative Day approved by the Senate.

ADJOURNMENT

At 6:20 P. M. on motion of Mr. Smith, the Senate adjourned until Friday, June 21, 1957 at 10 o'clock A. M.

FIFTEENTH LEGISLATIVE DAY

FRIDAY, JUNE 21, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Mr. Levoy Bivins, Minister, Highland Avenue Church of Christ, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Smith
Bradford	Flowers	Little	Tate
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Reeves	Yarbrough (Randolph)
Davis (Pickens)	James	Roberts	—34

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Eddins, leave of absence for Mr. Robison was granted for the day.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 52. Relating to counties having a population of less than eleven thousand nine hundred inhabitants according to the 1950 or any subse-

quent decennial census of the United States; to provide for the salary of the county superintendent of Education of such counties.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 15. Discharging joint committee created by S. J. R. 68, 1955, rescinding resolution and order creating same.

Also:

S. J. R. 32. Naming Senate Joint Resolution No. 30.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan, and Skidmore:

S. 306. To amend further Section 21 of Title 11, Code of Alabama (1940), which relates to the fees allowed to clerks of circuit courts in civil cases.

Committee on Judiciary.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan, and Skidmore:

S. 307. To provide for a fixed amount of costs for clerks of the circuit courts who are ex officio clerks of county courts, law and equity courts and courts of like jurisdiction in Alabama in criminal and quasi criminal cases.

Committee on Judiciary.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan, and Skidmore:

S. 308. To amend further Section 69 of Title 45, Code of Alabama (1940), which relates to court costs payable out of the convict fund.

Committee on Judiciary.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan, and Skidmore:

S. 309. To amend further Section 27 of Title 11 of the Code of Alabama 1940, which relates to the fees and commissions allowed registers.

Committee on Judiciary.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan, and Skidmore:
S. 310. To amend further Section 89 of Title 11, Code of Alabama (1940), which relates to the fees of clerks of the circuit courts in criminal cases.

Committee on Judiciary.

By Messrs. Calvin and Smith:

S. 311. To regulate the sale, exchange, or other disposal of surplus, obsolete, unless, or unnecessary property belonging to, or in the custody of, any state department, division, institution, or agency; and to prescribe a penalty for violation of the Act.

Committee on Judiciary.

By Mr. Allen:

S. 312. To provide further for purging the lists of registered voters in Cullman County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; requiring the beat committeemen or other members of political parties organized in Cullman County to serve as clerks of the board of registrars in connection with the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for purging the lists of registered voters in Cullman County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; requiring the beat committeemen or other members of political parties organized in Cullman County to serve as clerks of the board of registrars in connection with the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Cullman County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or non-residents of the county, or have otherwise become disqualified from voting in Cullman County, shall be removed from such lists, and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors in the county the name of any person who fails

to reidentify himself, in the manner prescribed herein, before the first day of January, 1958. No person whose name is removed from the list of qualified electors as herein provided shall cease permanently to be a qualified elector nor be subject to reregistration, but shall be subject only to the requirement that he reidentify himself as a duly registered elector before being listed on the list of qualified electors in the county, and before being entitled to vote.

Section 3. Prior to the first day of January, 1958, the board of registrars of Cullman County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session in each beat for such times as the board deems necessary to enable the qualified electors of such beat to appear and reidentify themselves in the manner prescribed herein. No voter shall appear and reidentify himself at any place except in the beat in which he resides or in the courthouse of the county.

Section 4. Each member of the board of registrars shall receive ten dollars per day, to be paid by the county, and disbursed by the judge of probate, for each days attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only the per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. A voter may reidentify himself by appearing in person before the board of registrars in the beat in which he resides, and answering such questions and submitting such proof, under oath, as the board may require in order to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. At each session of the board held in any beat in the county under the provisions of this Act, the elected beat committeeman, if any, of each political party organized in the county shall appear and serve as a clerk of the board during such session. In the event the beat committeeman shall refuse, neglect, or be unable to serve, or in the event no member of any such political party has been elected to serve as committeeman in any beat, the board of registrars shall designate some qualified person who is a resident and qualified elector of the beat, to serve as clerk of the board at sessions of the board held in such beat. Such clerks shall receive no compensation, but shall receive actual and necessary expenses incurred in attending sessions of the board, to be paid by the county and disbursed by the judge of probate.

Section 6. The board of registrars shall meet on the first Monday in January, 1958, for the purpose of purging the registration lists, and the names of all persons who have failed to appear and reidentify themselves in the manner herein prescribed shall be stricken from the registration lists.

Section 7. Any qualified elector of the county who shall have his name omitted or removed from the list of qualified electors in the county by failure to appear and reidentify himself as herein provided shall be entitled to have his name restored to the list of qualified electors by appearing in person at the office of the board of registrars and answering such questions and submitting such proof, under oath, as the board may require to establish the voter's identity, place of legal residence, and the fact that the voter has not become disqualified from voting in the county. Provided, however, every qualified elector must have reidentified himself at least thirty (30) days prior to the election at which he offers to vote.

Section 8. The board of revenue, court of county commissioners, or other like governing body of Cullman County is hereby authorized, directed, and required to furnish the board of registrars with the supplies, equipment, printed forms, stationery, clerical assistance, and newspaper advertisements necessary for the reidentification of voters as herein provided.

Section 9. Any person who willfully makes a false statement to the board of registrars, or any duly authorized employee of the board, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Democrat, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1957.

ROBERT BRYAN.

Sworn to and subscribed before me 7th of June, 1957.

MARIE W. BERGIN,
Notary Public.

My Commission Expires

By Mr. Vann:

S. 313. To provide for partial refund of the gasoline excise tax levied on aviation fuel pursuant to Section 647 of Title 51, Code of Alabama (1940), as amended; to establish procedures and requirements govern-

ing the application for and payment of the aviation fuel refund; to fix certain penalties for the violation of the terms of this act and the rules and regulations established thereunder.

Committee on Finance and Taxation.

By Mr. Vann:

S. 314. To provide for county planning, and the creation, organization, and powers of county planning commissions, to provide for the personnel and the financial and legal status of such commissions; and to further provide that two (2) or more counties, parts of counties, or a city or cities and a county or counties to form joint planning commissions.

Committee on Judiciary.

By Mr. Leonard:

S. 315. To amend further Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners."

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of the intention to apply for passage by the legislature of the State of Alabama at its 1957 session of a bill which is substantially as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners," as amended by Act No. 28, H. 152, approved June 30, 1947 (Local Acts of 1947, p. 22, is hereby amended to read as follows:

"Section 2. Each member of the Court of County Commissions of Talladega County, except the probate judge, on presentation to the Court of County Commissioners of a monthly written report, which report shall show road inspections and due diligence on the part of such commissioner in the performance of his duties, which must be approved by the commissioners court, shall receive a monthly salary of one hundred fifty dollars (\$150), beginning on the first Monday after the second Tuesday in January 1959, which shall be in lieu of all fees and compensation allowed by law to such commissioner for services rendered in and about such

commissioners court, including the work required as members of the Board of Review, the payment of such salary to be made out of the county treasury by warrant drawn by the probate judge on the treasury of the county on the first of each month for the preceding month. The probate judge shall receive as compensation for his services as a member of such commissioners court the sum of three dollars (\$3.00) for each day or part of a day which he shall preside over the sessions of said court said compensation to be paid on the first of each month for the preceding month out of the county treasury by warrant of such judge drawn on the treasury of the county. Each commissioner shall be entitled to expenses in the amount of one hundred dollars per month, and the probate judge shall be entitled to expenses in the amount of three thousand dollars per annum, payable in twelve equal installments. The expenses of the commissioners and of the probate judge shall be payable from the same fund or funds as their salaries, and shall be paid on warrants drawn by the probate judge."

Section 2. This Act shall become effective immediately upon its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil Hornady, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Talladega Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 28, June 4, June 11, and June 18, all in the year 1957.

CECIL HORNADY.

Sworn to and subscribed before me June 19, 1957.

ZELL SEXTON,
Notary Public.

By Mr. Skidmore:

S. 316. To repeal "The unfair Cigarette Sales Act" (Act No. 805, S. 385, approved September 11, 1951, (1950-51 Acts, Vol. II, pp. 1402-1408).

Committee on Judiciary.

By Messrs. Skidmore and Grisham:

S. 317. To require electric marker warning lights on the rear of all common carrier railroad trains; to require adequate electrical lighting within cabooses for clerical work; to authorize the public service commission to promulgate rules and regulations concerning same. To provide a penalty for the violation of this act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Committee on Judiciary.

By Mr. Boutwell:

S. 318. To amend Section 195 (1) of Title 13 of the Code of Alabama of 1940, which relates to the eligibility and commissioning of supernumerary circuit judges.

Committee on Judiciary.

By Mr. Boutwell:

S. 319. Relating to savings and loan associations; authorizing and regulating the creation and operation of such associations with a part of their capital derived from guarantee accounts; defining the rights of account holders in such associations and providing that this Act shall be supplemental to other laws regulating savings and loan associations.

Committee on Banking.

By Mr. Metcalf:

S. 320. To repeal an act approved September 11, 1951 known and designated as "The Unfair Cigarette Sales Act" (Act No. 805, S. 385, Acts of Alabama 1950-51, Vol. II, p. 1402).

Committee on Judiciary.

By Mr. Reeves:

S. 321. To amend an Act, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners," approved October 19th, 1932, as amended by Act No. 295, Acts of The Regular Session of 1943, approved June 28, 1943.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PIKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend an Act, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners," approved October 19th, 1932, as amended by Act No. 295, Acts of the Regular Session of 1943, approved June 28, 1943.

Be It Enacted by the Legislature of Alabama:

That the Act of the Legislature of Alabama, approved October 19th, 1932, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners" as amended by Act No. 295 Acts of the Regular Session 1943, approved June 28, 1943, — be amended so as to read as follows:

Section 1. That each member of the Court of County Commissioners of Pike County, except the Probate Judge, shall have supervision of and shall be responsible to the Court of County Commissioners for the construction, maintenance and upkeep of the county roads and bridges in his

Commissioner's district, and shall make personal inspection of all work under construction in his district, and shall approve all appointments of the County Road Superintendent of all road overseers, apportioners and enumerators necessary for the construction, maintenance and upkeep of the roads and bridges in his district, and shall inspect and approve all reports of overseers in his district, and the Probate Judge shall assist said Commissioners in the performance of their duties to such extent as shall be necessary. That regular terms of the Court of County Commissioners of Pike County, shall be held on the first, second, third and fourth Wednesdays in each month of each year, instead of being held on the second Mondays of each month.

Section 2. That each member of the Court of County Commissioners of Pike County, except the Probate Judge, on presentation to the Court of County Commissioners of a monthly written report, which report shall show road inspections and due diligence on the part of such Commissioner in the performance of his duties, which must be approved by the Commissioners Court, shall receive a monthly salary of Two Hundred Fifty Dollars (250.00) a month, which shall be in lieu of all fees, compensation and expenses allowed by law to such Commissioner for services rendered in and about such Commissioners Court, including the work required as members of the Board of Review, the payment of such salary to be made out of the County Treasury of the County on the first of each month for the preceding month. That the Probate Judge shall receive as compensation for his services as a member of such Commissioners Court the sum of Three (\$3.00) Dollars for each day or part of a day which he shall preside over the sessions of said Court, together with the fees for recording the minutes and proceedings of the Commissioners Court as provided by Section 29 of Title Eleven of the Code of Alabama of 1940, said compensation to be paid on the first of each month for the preceding month out of the County Treasury by Warrant of such Judge drawn on the Treasury of the County.

Section 3. That all laws and parts of law in conflict with the provisions of this act are hereby repealed.

Section 4. That this act shall take effect and become operative immediately after the expiration of the terms of office of the members of the Court of County Commissioners of Pike County whose terms first expire.

STATE OF ALABAMA PIKE COUNTY

Before me, Christine C. Smyth, a Notary Public in and for said State and County, personally appeared Glenn Jones, who being sworn deposes and says on oath, that he is the publisher of The Troy Messenger, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice An act to provide additional duties and powers on County Commissioners was published in said newspaper 4 times, the same appearing in the issues dated: May 13, 20, 27, June 3, 1957.

Glenn Jones, Publisher.

Sworn to and subscribed before me this the 18th day of June, 1957.

Christine C. Smyth,
Notary Public, Pike County, Ala.

By Mr. Tate:

S. 322. To protect further the grantors of certain interests in gas and oil in Alabama by requiring the prompt payment of royalties accruing from the production of oil and gas; prescribing a penalty for failure to promptly pay such royalties; and authorizing and regulating payments as

escrows under certain conditions in lieu of payments directly to the royalty owners.

Committee on Forestry and Conservation.

By Messrs. Shelton and Flowers:

S. 323. To amend Title 28, Section 58 of the Code of Alabama 1940, which relates to appointment of receiver for the domestic insurance companies.

Committee on Insurance.

By Messrs. Van Antwerp, Metcalf, Newton, Cantrell, Jones, Roberts, Leonard, Allen, Grisham, Lamberth, Flowers, Bradford, Vann, Givhan, Moses, Yarbrough (Randolph), Skidmore, Davis (Pickens), Goodwin, Little, and Yarbrough (Autauga):

S. 324. To authorize Alabama Highway Authority to finance, by the issuance of its bonds not exceeding \$20,000,000 in principal amount, the State of Alabama's share of the cost of the construction, reconstruction and improvement of public highways and bridges in the state with respect to which funds may be apportioned to the state under the provisions of any statute of the United States, said bonds to be in addition to those heretofore issued by said Authority; to provide that bonds issued under this act and the income therefrom shall be exempt from taxation, and that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of said bonds; to make appropriation and pledge of funds necessary to pay the principal of and interest on said bonds; to authorize said Authority to pledge such funds for payment of the principal of and interest on said bonds; and to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments.

Committee on Finance and Taxation.

By Messrs. Van Antwerp, Metcalf, Newton, Cantrell, Jones, Roberts, Leonard, Allen, Grisham, Lamberth, Flowers, Bradford, Vann, Givhan, Moses, Yarbrough (Randolph), Skidmore, Davis (Pickens), Goodwin, Little, and Yarbrough (Autauga):

S. 325. To amend Section 7 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to clarify the provisions of said act and so as to eliminate certain provisions of said act respecting the priority of pledges that may hereafter be made for the benefit of refunding bonds issued thereunder.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Reeves:

S. 175. To provide that the Commissioner of Revenue shall have authority to designate agents of the Department of Revenue, not to exceed four in number, who shall have authority to serve writs of process and levy on and sell property on executions issued by the Department of Revenue; to provide that such agents shall not be entitled to any fees

for the acts and services described herein; to provide for the giving of bond by such agents; to provide for an effective date of this Act.

By Messrs. Grouby et al:

H. 14. To provide rules and prescribe forms governing procedure and practice in the circuit court and courts of full like jurisdiction and in any other court whose judgments, orders, or decrees are appealable directly to the Supreme Court or to the Court of Appeals, in actions and suits of a civil nature, whether cognizable at law or in equity.

By Messrs. Metcalf and Smith:

S. 207. To make it unlawful to possess or traffic in heroin in the State of Alabama, and to prescribe penalties for violations of this Act.

By Messrs. Metcalf and Smith:

S. 208. To amend Sections 232, 238, 242, 243 and 255 of Title 22, Code of Alabama (1940), which relate to narcotic drugs and poisons.

By Messrs. Metcalf and Smith:

S. 209. Further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act.

By Messrs. Metcalf and Smith:

S. 210. To amend Section 258, Title 22, Code of Alabama (1940), which prescribes penalties for trafficking in marihuana.

By Mr. Davis (Lowndes):

S. 214. To further amend Section 52 of Title 36, Code of Alabama, 1940.

By Mr. Cooper:

S. 215. To amend Section 40 of Title 36, Code of Alabama (1940), as amended which relates to lighting equipment required on motor vehicles.

By Mr. Boutwell:

S. 277. To amend Section 144, Title 7, Code of Alabama of 1940.

By Mr. Reeves:

S. 283. To amend Section 133 of Title 45, Code of Alabama (1940); relating to the removal of prisoners from jail.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Reeves:

S. 176. To amend Sections 1 and 6 of an Act entitled "Establishing a system of diversified prison industries to be operated with the use of prisoners of the State; providing for the classification and training of prisoners employed in prison industries; providing for the requisitioning, purchase, and supply of prison products for the use and consumption of tax supported institutions, departments, boards, commissions and other agencies of the State; providing for the purchase of supplies, materials and equipment required for the operation of prison industries; establishing a revolving fund for the operation of prison industries; and providing penalties for violations of this Act," approved August 31, 1953.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the

following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Allen, Smith, Davis (Pickens), Leonard, Grisham and Little (with amendment):

S. 236. To amend further Section 704 of Title 51, Code of Alabama 1940, which relates to the assessment and collection of ad valorem taxes on motor vehicles.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Davis (Lowndes):

S. 278. To create the Alabama Theodore Roosevelt Centennial Commission, to provide for the appointment of its members, and to prescribe its powers, duties, and responsibilities.

By Messrs. deGraffenried and Callahan:

H. 245. To amend further Section 753 of Title 51, Code of Alabama of 1940, which relates to the rate of sales tax.

By Mr. Robison:

S. 169. To Amend Section 348 of Title 51, Code of Alabama (1940).

By Messrs. Goodwyn et al:

H. 143. To amend Section 29 of Title 13 of the Code of 1940 as amended.

By Messrs. Goodwyn et al:

H. 144. To amend Section 103 of Title 13 of the Code of 1940 as amended.

By Mr. Tate:

S. 304. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1957.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Roberts, Metcalf, Givhan and Smith (with amendment):

S. 12. To fix the compensation of Circuit Solicitors payable from the State Treasury.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Smith and Metcalf:

S. 73. To fix the compensation of members of the State Board of Pardons and Paroles.

By Messrs. Skidmore, Givhan, Flowers, Jones, Newton, Yarbrough (Randolph), Yarbrough (Autauga), Moses, Calvin, Engelhardt, Lamberth, Davis (Lowndes), Bradford, Cooper, Hall, Dyar, Eddins, Davis (Pickens), Robison, Metcalf, Little, Reeves, Goodwin, James, Vann,

Van Antwerp, Allen, Grisham, Leonard and Roberts:

S. 178. To amend further Section 29 of Title 60, Code of Alabama (1940).

By Mr. Flowers:

S. 90. To amend further Section 3 of Act No. 228, S. 21, approved July 31, 1947 (General Acts of Alabama, 1947, p. 92), entitled "An Act to provide additional supernumerary judges for the State, prescribing their duties and powers, fixing their compensation and tenure of office, and making an appropriation to pay their salaries."

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Van Antwerp:

S. 298. Relating to counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census; to provide for the appointment, duties, and compensation of a register of the juvenile court in such counties.

By Mr. Cantrell (with notice and proof):

S. 300. To amend Section 2 of the Act approved June 23, 1949, which created and established the Board of Revenue in and for Colbert County (Act No. 131, H. 333, 1949 Acts 157).

By Mr. Cantrell (with notice and proof):

S. 301. To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense.

By Mr. Flowers (with notice and proof):

S. 305. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

By Mr. Kelly (with notice and proof):

H. 183. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Winston County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

By Mr. Wood (with notice and proof):

H. 437. To fix the compensation of the county superintendent of education of Washington County.

By Messrs. Money and Gist (with notice and proof):

H. 438. To amend further an act approved November 4, 1950 entitled "An Act To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. I, p. 126).

By Messrs. Hardy, Hain and Gilmer (with notice and proof):

H. 441. Relating to Dallas County: To regulate the compensation of the coroner and to provide for the payment thereof.

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa) (with notice and Proof):

H. 442. Relating to Tallapoosa County; providing for the compensation of the county superintendent of education; repealing Act No. 88, H. 217, approved June 15, 1953.

By Messrs. Solomon and Mathison:

H. 443. Relating to all counties in the State having a population of not less than 18,400 nor more than 18,800 inhabitants, according to the last or any subsequent Federal decennial census; to authorize and direct the governing body of any such county to allow and pay to the sheriff an amount not in excess of one hundred dollars (\$100) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business.

By Messrs. Mathison and Solomon (with notice and proof):

H. 521. To amend further Section 1 of the act approved May 25, 1945, which regulates the compensation of the superintendent of Education of Henry County (Act No. 30, S. 99, Local Acts of 1945, p. 39).

Mr. Yarbrough (Autauga), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Merrill:

H. 193. To authorize and require the State Board of Education to change the name of the normal schools or teachers colleges.

By Mr. Shelton:

S. 183. To amend further Section 100 of Title 52, Code of Alabama (1940), which relates to the qualifications and selection of school trustees.

By Messrs. Tate and Yarbrough (Randolph):

S. 86. To amend further Section 365 of Title 52, Code of Alabama, 1940, which relates to the teachers' retirement system.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

S. 205. To amend Section 129 of Title 2 of the Code of 1940 relating to permit fee.

By Messrs. Cooper and Roberts:

S. 216. To amend Section 466 of Title 37 of the Code of Alabama of 1940.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Roberts, Robison and Flowers (with amendment):

S. 226. To amend Section 445 of Title 37 of the Code of 1940 relating to the employment of an expert accountant for the annual examination of the books and accounts of municipal officials.

Mr. Cooper, Chairman of the Standing Committee on Municipalities and Municipal Organizations, reported that said Committee, in Session,

had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 227. To amend further Section 429 of Title 51, Code of Alabama (1940), which relates to the tax on financial institutions.

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 231. To amend Section 504 of Title 37 of the Code of 1940 relating to statements, claims or demands for injury filed:

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cantrell, Leonard, Roberts, Grisham and Newton:

S. 203. To define, regulate and license barbers, barber apprentices and barber shops, barber colleges and like businesses, to create a State Board of Barber Examiners, define their powers and duties, fix their compensation, fix and prescribe license fees for barbers, barber apprentices, barber shops, barber colleges and like businesses, to eliminate the operation of this act in certain counties, to prescribe penalties and punishment for the violation of this act.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar to-wit:

By Mr. Allen:

S. 4. To amend further Section 25 of Title 36, Code of Alabama (1940), which makes it unlawful in certain cases to park or leave standing certain vehicles, whether attended or unattended, upon the paved or improved or main traveled portion of any highway, by authorizing any peace officer to remove any such vehicle or any disabled vehicle or require the driver or persons in charge of any such vehicle or any disabled vehicle to remove such vehicle.

By Mr. Goodwin:

S. 43. To amend Section 56 of Title 19, Code of Alabama (1940), which relates to rights of way to public roads or highways.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Selman and Shumate (with notice and proof) (with amendment):

H. 436. Relating to Walker County: providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act.

Mr. Cooper, Vice-Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill

and ordered same returned to the Senate with a favorable report, with substitute and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Flowers, Moses, Leonard, Skidmore, Vann, Roberts and Allen (with substitute):

S. 134. To protect the interest of the public with respect to insurance agents, solicitors and brokers: to regulate the conduct of the business of insurance agents, solicitors and brokers: to provide for the powers and duties of the Superintendent of Insurance with respect thereto: to provide for the examining and licensing of insurance agents, solicitors and brokers: to provide for the administration of this Act: to provide for the denial, revocation or suspension of licenses under this Act: to provide for penalties for the violation of any provision of this Act: to provide for judicial review of the Acts of the Superintendent of Insurance with respect to the administration of the provisions of this Act: to repeal all laws or parts of laws in conflict therewith:

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Nice, Vacca, Edwards (Jefferson), Perry, Adams (Jefferson), Kaul and Lackey:

H. J. R. 35. Whereas the cause of education has lost one of its ablest friends and staunchest supporters in the death, on Saturday, June 8, 1957, of Paul H. Snow, of Pinson, Alabama; and

Whereas Paul H. Snow was a warm supporter of his alma mater, Jacksonville State College, and worked untiringly in its behalf, and served as president of the Alumni Association of that institution, and demonstrated both his loyalty to the college and his devotion to education through his establishment of the Paul Snow Scholarship Fund at Jacksonville State College; and

Whereas Paul H. Snow further served the cause of education as member and vice-chairman of the Alabama State Board of Education, and his able and loyal work in connection with his duties on the board earned him such respect in the eyes of his colleagues that his re-election as vice-chairman of the board was by the unanimous vote of its members; and

Whereas Paul H. Snow's character and integrity, humor, amiability, and loyalty to his friends endeared him to all who knew him; and

Whereas the Legislature deeply mourns the passing of this highly respected and distinguished citizen; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature do hereby express their deep regret at the passing of this outstanding citizen of Alabama, Paul H. Snow, and extend their most sincere sympathy to the surviving members of his family.

Be it resolved, further, that the Clerk of the House transmit a copy of this resolution to the bereaved widow, Mrs. Mattie Lois Snow, at Pinson.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, H. J. R. 35, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 52. Relating to counties having a population of less than eleven thousand nine hundred inhabitants according to the 1950 or any subsequent decennial census of the United States; to provide for the salary of the county superintendent of Education of such counties.

Also:

H. J. R. 31. Relative to extending congratulations to Representative Roscoe Roberts upon the birth of his daughter, Ann Louise Roberts.

Also:

H. J. R. 32. Relative to expressing sympathy to the family of Major Waldo Emerson Ard, former member of the House of Representatives, who died recently.

Also:

H. J. R. 33. Relative to deploring recent actions of the United States Supreme Court in regard to communists and communist sympathizers.

Also:

H. J. R. 34. Relative to naming House Bill 74.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Callahan and DeGraffenried:

H. J. R. 37. WHEREAS, Act No. 485 of the Acts of Alabama of 1955, appearing on page 1097 of Volume II of the Acts of Alabama of 1955, became effective on September 9, 1955, and

WHEREAS, said Act of the Legislature contained the following provisions:

"Section 1. Every city and county board of education in this State, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College are

hereby authorized, directed and required to employ, upon application, any teacher who has attained age sixty-five on or before October 1, 1955, who has retired under the teachers' retirement system of Alabama, and who is receiving retirement benefits of not more than one hundred dollars (\$100.00) per month. Application shall be made under such rules and regulations as may be promulgated and adopted by the state board of education.

Section 2. Such teachers as are employed under the provisions of this Act shall be employed by the appointing board on a twelve months basis, and shall perform such regular duties and services as may be required by the appointing board, including service as consultants, graders, tutors, advisers, or substitute teachers. Such teachers shall receive a salary of sixteen dollars and sixty-seven cents (\$16.67) per month, payable out of any funds appropriated for the use of the appointing board. But nothing contained herein shall be construed as prohibiting teachers employed under the provisions of this Act from receiving any retirement benefits to which such teachers are now entitled by law.

Section 3. All provisions of law with respect to participation and coverage in the federal old age and survivors insurance program by other teachers covered under the teachers' retirement system of Alabama shall be applicable to the teachers employed under the provisions of this Act, including deductions from the salaries of such teachers for participation in such program, but no other deductions for any purpose whatsoever shall be made from the salaries of such teachers, any provision of law to the contrary notwithstanding." and

WHEREAS, it was the intention of the Legislature that all teachers employed under the authority of said Act should qualify for Social Security benefits after they had been employed for eighteen months, and

WHEREAS, a large number of teachers in Alabama, due to misinterpretation, misconstruction or misapplication of the purpose and intent of said law have failed to satisfy the requirements of the social security board, and

WHEREAS, all of such teachers, employed under the terms of such bill worked constantly for the eighteen months either as consultants, graders, tutors, advisers or substitute teachers.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that all the members of the Federal Congress, from Alabama, and both the members of the United States Senate be requested to exhaust their influence and their resources towards an investigation of this situation in an effort to find out why some retired teachers qualified for social security benefits and some failed to do so.

Be it further resolved, that it is the sense of this Legislature that where a school teacher was employed as a substitute teacher and held himself or herself out as being ready and available to teach when called upon that such relationship constituted services rendered.

Be it further resolved that all county superintendents of education in the state and all city superintendents of education in the state be directed to forthwith investigate and determine the reason why some retired teachers qualified and some are not and that they be requested to make the necessary corrections in any forms required by the social security board to qualify all of such retired teachers.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the Resolution, H. J. R. 37, set out in the foregoing Message from the House was concurred in and adopted by the Senate.

RESOLUTIONS

Mr. Boutwell offered the following Senate Joint Resolution, to-wit:

S. J. R. 34. Whereas the National Blind Golfers' Association will play its 1957 tournament in Birmingham, Alabama, July 26-28; and

Whereas, the proceeds from said tournament are for the use of the Alabama Sight Conservation Association, a non-profit association, dedicated to the cause of prevention of blindness and the restoration of sight; and

Whereas, a number of outstanding citizens have accepted invitations to attend the tournament; now therefore

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the Legislature of Alabama, on behalf of the people of this State, hereby extends a warm-hearted welcome to the distinguished guests of Alabama who are to participate in said tournament, and hereby expresses its sincere best wishes for the success of the tournament; and

Resolved further, That a committee of three Representatives and three Senators be named to cooperate with the officials in charge of the tournament, to aid and assist them in every way possible to make this occasion an outstanding event, and officially to represent the State in this behalf.

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, adopted by the Senate.

The President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Boutwell, Calvin, and Davis (Lowndes).

Messrs. Skidmore, Boutwell, Smith, Flowers, Roberts, and Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 35. Whereas, the annual meeting of the Alabama State Bar Association is scheduled to be held in Tuscaloosa, Alabama, on July 18, 19, and 20, and during the meeting many conferences and workshops will be held on various aspects of the practice of law, which will be beneficial to all the lawyers of the State; and

Whereas, many members of both Houses of the Legislature are lawyers, who will want to attend the annual meeting of the Alabama State Bar Association; and

Whereas, the Legislature generally meets on Tuesday and Friday of each week, and the lawyer members of the Legislature will not be able to attend the meeting of the Alabama State Bar Association if the Legislature is in session on Friday, July 19; now, therefore, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the two Houses of the Legislature will not meet or hold a session on Friday, July 19.

On motion of Mr. Skidmore, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Jones offered the following Senate Joint Resolution, to-wit:

S. J. R. 36. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That the bill, S. B. 52, which has passed both Houses and has been signed by the Governor as Act No. 62 of this session, be designated and known as "The Jones, Calvin, Steagall, Fite, Harrison, and Hain Bill."

On motion of Mr. Jones, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 37. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, June 25th, 1957.

On motion of Mr. Lamberth, the Rules were suspended and the Resolution adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 18. To amend further Section 2 of Title 51 of the Code of Alabama, 1940, which relates to exemptions of persons and property from ad valorem taxation.

Was taken up.

Mr. Metcalf offered the following amendment to the Bill, to-wit:

AMENDMENT TO H. B. 18

Amend the bill, H. B. 18, by striking out the phrase, "All cotton, live-stock or agricultural products" appearing in subsection (h) on page one of the bill and insert in lieu thereof the following:

"All cotton or agricultural products, and all livestock of a fair market value not exceeding fifty thousand dollars,"

On motion of Mr. Givhan, the amendment was laid on the table.

Yeas 21; Nays 11.

Yeas:

Messrs.:	Davis (Pickens)	Lamberth	Shelton
Allen	Eddins	Little	Smith
Calvin	Engelhardt	Newton	Van Antwerp
Cantrell	Givhan	Reeves	Vann
Cooper	Hall	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	James		

—21

Nays:

Messrs.:	Dyar	Grisham	Skidmore
Boutwell	Flowers	Metcalf	Tate
Bradford	Goodwin	Moses	Yarbrough (Randolph)

—11

And said Bill was then read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Bradford	Cooper	Dyar
Allen	Calvin	Davis (Lowndes)	Eddins
Boutwell	Cantrell	Davis (Pickens)	Engelhardt

Flowers	James	Newton	Smith
Givhan	Lamberth	Reeves	Tate
Goodwin	Leonard	Roberts	Van Antwerp
Grisham	Little	Shelton	Vann
Hall	Metcalf	Skidmore	Yarbrough (Autauga)

—31

On motion of Mr. Givhan, further consideration of the Bill, S. B. 16, was indefinitely postponed by the Senate.

RESOLUTION

Mr. Davis (Lowndes) offered the following Senate Resolution, to-wit:

S. R. 38. Whereas the Senate was in continuous session all night on Tuesday, June 16, and until after 7:00 a.m. on Wednesday, the 17th; and

Whereas the members of the Senate were extremely tired because of the long and continuous hours of debate, accentuated by the tenseness of the issues involved; and

Whereas the genial Senator from Houston, after several hours of personal debate, arose again about the hour of seven and assured all Senators that he would speak for an additional hour and would not yield to any one Senator for any purpose until the expiration of an hour; and

Whereas the Senators were able to leave the Senate for an hour to eat, shave and bathe, and return to the Senate without having any advantage taken of them because of their absence; now therefore

BE IT RESOLVED, That the members of this body, individually and collectively, do hereby express to the Senator from Houston their warm thanks for the respite which was allowed them through his generous and considerate action; and they do hereby also assure the Senator of their deep appreciation of his open, pure, and unyielding nature, which so much justifies their trust and confidence.

And on motion of Mr. Davis (Lowndes), the Rules were suspended and the Resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hain, Gilmer and Hardy:

H. 450. To propose an amendment to the Constitution of Alabama relating to the fees, commissions, percentages, allowances, and compensation of certain officers of Dallas County.

Also:

By Messrs. Lackey, Edwards (Jefferson), Vacca, Nice, Perry, Kaul, and Oden:

H. 325. To amend Section 19 of Act No. 248 of the Legislature of Alabama of 1945, approved July 6, 1945, General Acts of Alabama of 1945, pages 376-400, as heretofore amended by Act No. 109 of the Legislature of Alabama of 1956, approved February 14, 1956, Acts of Alabama, Special Sessions, 1956, pages 165-166.

Also:

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa):

H. 522. Relating to Tallapoosa County; fixing the compensation

of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

STATE OF ALABAMA COUNTY OF TALLAPOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

(3R3031: 5/14/57)

A BILL TO BE ENTITLED AN ACT

Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The deputies to the sheriff of Tallapoosa County shall receive the following compensation: The chief deputy sheriff shall receive a salary of not more than three thousand nine hundred dollars (\$3,900.00) per annum; the deputy sheriff at Alexander City shall receive a salary of not more than three thousand six hundred dollars (\$3,600.00) per annum; the deputy sheriff at East Tallassee shall receive a salary of not more than three thousand six hundred dollars (\$3,600.00) per annum; the deputy sheriff at Dadeville shall receive a salary of not more than two thousand seven hundred dollars (\$2,700.00) per annum; and the deputy sheriff in the Second Commissioner District shall receive a salary of not more than two thousand four hundred dollars (\$2,400.00) per annum. The salaries of such deputies to the sheriff shall be paid out of the general fund of the county in equal monthly installments, payable on the first day of each month on warrants drawn by the judge of probate.

Sec. 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month succeeding its passage and approval by the Governor, or upon its otherwise becoming a law.

M17, 24, 31; J-7c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 17, May 24, May 31, and June 7, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me June 10, 1957.

T. C. WOLSONCROFT,
Notary Public.

My Commission Expires June 14, 1959

Also:

By Mr. Hodges:

H. 525. Relating to St. Clair County; authorizing and directing the court of county commissioners of St. Clair County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; authorizing and directing the court of county commissioners of St. Clair County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners of St. Clair County is hereby authorized, directed, and required to provide for the installation and use of at least eight voting machines within the county. The court of county commissioners may designate the election precincts within which voting machines shall be used and the precincts within which paper ballots shall continue to be used, and may adjust the boundaries of the election precincts or election districts within the county in order to make the most effective and practical use of the machines herein authorized. Upon the installation of voting machines in any election precinct, such machines must be used for registering or recording and computing the vote at all general special, or primary elections thereafter held in such precinct.

Section 2. The provisions of this Act shall become operative only if approved by a majority of the qualified electors of St. Clair County voting in a referendum election to be held for that purpose. The referendum election shall be held on the same day as the first countywide primary, general, or special election held at least sixty days after the date of this enactment. The County Commission of St. Clair County shall order and provide for holding the referendum election on such date. On the ballots to be used in the referendum election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____, of the 1957 Regular Session of the Legislature, which provides for the installation and use of a certain number of voting machines in St. Clair County, be adopted? Yes () No. ()." If a majority of the votes cast at the election are "Yes", the provisions of this Act shall become effective immediately. If a majority of the votes cast in the election upon this Act are "No", this Act shall have no effect.

NA 5/2, 9, 16, 23, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2-9-16-23, all in the year 1957.

E. R. BLAIR.

Sworn to and subscribed before me June 10, 1957.

ETHEL BLAIR.
Notary Public.

Also:

By Messrs Callahan and deGraffenried:

H. 524. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits having two Circuit Judges composed of one County having a population of not less than 94,000 people nor more than 135,000 people according to the last or any subsequent Federal decennial census.

Also:

By Mr. Hodges:

H. 526. Relating to St. Clair County: To fix the compensation of the coroner.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County: To fix the compensation of the coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. The entire compensation of the coroner of St. Clair County shall be an annual salary of six hundred dollars, payable in equal monthly installments, and an expense allowance of six cents (6c) per mile for each mile traveled in connection with the performance of any official duties which he is called upon to perform by any law enforcement officer, the judge of a court of record or the circuit or county solicitor. Such salary and expense allowance shall be paid out of the general fund in the county treasury, and shall be in lieu of all fees, allowances and other remuneration allowable or payable to coroners for the performance of their official duties.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

NA 5/2, 9, 16, 23, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2-9-16-23, all in the year 1957.

E. R. BLAIR.

Sworn to and subscribed before me June 10, 1957.

ETHEL BLAIR,
Notary Public.

Also:

By Mr. Cox:

H. 538. To amend Section 7 of the Act of the Legislature of Alabama, approved June 28th, 1943, by the Governor, by which the Municipal Utilities Board of Albertville, Alabama, was created, being Act Number 287 of the regular session of the Legislature of Alabama of 1943.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT

To amend Section 7 of the Act of the Legislature of Alabama, approved June 28th, 1943, by the Governor, by which the Municipal Utilities Board of Albertville, Alabama, was created, being Act Number 287 of the regular session of the Legislature of Alabama of 1943.

Section 1. That Section 7 of the Act of the Legislature of Alabama, approved June 28th, 1943, by which the Municipal Utilities Board of Albertville, Alabama was created, being Act Number 287 of the regular session of the Legislature of Alabama of 1943, be and the same is hereby amended so as to read as follows: "Section 7. Compensation of the Members of the Board—Each member of the Board shall be paid at the rate of \$50.00 per month. The compensation to the members of the Board shall be paid in monthly installments from the money received from the operation of the Electric Distribution System.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Pat M. Courington, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was President of the Sand Mountain Reporter and Herald, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on March 7, March 14, February 21, and February 28, all in the year 1957.

PAT M. COURINGTON.

Sworn to and subscribed before me June 8, 1957.

JESSE A. CULP.

Also:

By Mr. Hodges:

H. 542. Relating to St. Clair County: To amend Act No. 439, H. 933, approved August 17, 1951, (Acts of Alabama 1951, page 790), which impose extra, new and additional duties on the Tax Assessor and Tax Collector.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County: To amend Act No. 439, H. 933, approved August 17, 1951, (Acts of Alabama 1951, page 790), which imposed extra, new and additional duties on the Tax Assessor and Tax Collector.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 439, H. 933, approved August 17, 1951 (Acts of Alabama, 1951, page 790) entitled "An Act Relating to St. Clair County: To impose extra, new, and additional duties upon the Tax Assessor and Tax Collector and providing additional compensation for the performance thereof", is hereby amended to read as follows:

"Section 1. The Tax Assessor and the Tax Collector of St. Clair County shall, in addition to their other duties, maintain an office at the branch court house in Pell City for the purpose of assessing and collecting taxes. All records of such officers relative to the assessment and collection of taxes in beats 10, 11, 12, 13, 14, 15, 16, 17, 19, 20, 21, 23, 24 and 26 shall be maintained in the courthouse in Pell City and all such records relative to taxes in beats 1, 2, 3, 4, 5, 6, 7, 8, 9, 18, 22, and 25 shall be maintained at the courthouse in Ashville."

Section 2. Section 2 of said Act No. 439, H. 933, approved August 17, 1951 (Acts of Alabama 1951, page 790), is hereby amended to read as follows:

"Section 2. To defray the expenses involved in maintaining an office at each of the court houses in St. Clair County the Tax Assessor and the Tax Collector of St. Clair County shall each receive an allowance of one hundred and fifty dollars (\$150) per month, provided that full-time tax assessing and collecting services are available at both the court houses in St. Clair County and the records relative to the several beats in the county are maintained in the office designated for them in Section 1 of this Act. The allowances hereby made shall be paid out of the St. Clair County treasury."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9-16-23-30, all in the year 1957

E. R. BLAIR.

Sworn to and subscribed before me June 10, 1957.

ETHEL BLAIR,
Notary Public.

Also:

By Messrs. Wood, Holliman, Kirkham and Bassett:

H. 548. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 14,000 nor more than 16,000, according to the last or any subsequent federal decennial census.

Also:

By Mr. Edwards (Escambia):

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Flomaton, in Escambia County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the following local bill will be introduced for passage in the session of the Legislature of Alabama which convenes in May, 1957:

A BILL
TO BE ENTITLED
AN ACT

TO EXTEND, ALTER AND RE-ARRANGE THE BOUNDARY LINES AND CORPORATE LIMITS OF THE TOWN OF FLOMATON, IN ESCAMBIA COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

Section 1; That the boundary lines and corporate limits of the Town of Flomaton, in Escambia County, Alabama, be and the same are hereby extended, altered and re-arranged so as to include within the corporate limits of said Town all of the following described territory:

The West Half of the Southwest Quarter of the Northwest Quarter (W $\frac{1}{2}$ of SW $\frac{1}{4}$ of NW $\frac{1}{4}$) and the West Half of the West Half of the Southwest Quarter (W $\frac{1}{2}$ of W $\frac{1}{2}$ of SW $\frac{1}{4}$) of Section Twenty-six (26); all of Section Twenty-seven (27), except the North Half of the North Half (N $\frac{1}{2}$ of N $\frac{1}{2}$) and the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$); the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-eight (28); the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-two

(32); all of Section Thirty-three (33); and all of Section Thirty-four (34),—in Township One (1) North, Range Eight (8) East, in Escambia County, Alabama.

Section 2. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 3. That this Act shall go into effect upon its passage and approval by the Governor or upon its otherwise becoming a law.

29-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA ESCAMBIA COUNTY

I, L. B. O'BANNON, owner and publication of the FLOMATON JOURNAL, hereby certify that the attached notice is a true and correct copy of notice published in said FLOMATON JOURNAL once a week for 4 consecutive weeks, namely, in the issues of:

May 9, 1957; May 16, 1957; May 23, 1957; May 30, 1957.

I, further certify that the said FLOMATON JOURNAL is a newspaper printed in the English language in Escambia County, Alabama, that said newspaper has a general circulation in the County in which it is published, and been mailed under the second class mailing privilege of the United States Post Office Department from the Post Office at Flomaton, Alabama, where it is published, for more than 52 consecutive weeks.

L. B. O'BANNON.

Sworn to and subscribed before me this 10 day of May, 1957.

O. C. HAWKINS,

Notary Public, Escambia County Alabama.

Also:

By Mr. Fite:

H. 108. To authorize any county in the State of Alabama now or hereafter owning a water works plant and distribution system or portion thereof to transfer or convey such plant and system or portion thereof to any municipal corporation situated in such county; to provide that such transfer or conveyance may be made without the necessity of an election by the qualified voters of such county, with or without any pecuniary consideration and on such terms and conditions as the governing body of such county may determine; to provide for the authorization of any such transfer or conveyance by resolution of the governing body of such county; and to provide that any such transfer or conveyance may be made without the necessity of approval by the Alabama Public Service Commission or similar regulatory body.

Also:

By Messrs. Gregory, Reynolds, Cox, Hodges, Johnson (Tallapoosa), Franklin, McKay, Payne, Harrison, Brown (Lee), Ward, Brassell, Cornett, and Adams (Tallapoosa):

H. 339. To designate certain parts of the state highway system as "The Heart of Dixie Highway."

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House were severally read one time and referred to appropriate Standing Committees as follows:

H. 450—To the Committee on Constitution and Constitutional Revision and Amendments

(The above Bill was read at length as required by the Constitution.)

H. 325. To the Committee on Judiciary

H. B.'s 522, 525, 524, 526, 538, 542, 548, and 555—To the Committee on Local Legislation

H. 108—To the Committee on Municipalities and Municipal Organizations

H. 339. To the Committee on Public Roads and Highways

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 195. To provide for the appointment of bailiffs for the circuit courts of all counties having a population of not less than 135,000 nor more than 225,000 inhabitants, according to the last or any subsequent federal decennial census, to regulate their compensation and provide for the payment thereof.

Also:

S. 243. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Also:

S. 284. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

S. 291. To alter, re-arrange, and re-define the boundaries of the City of Tuskegee in Macon County.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following Senate joint resolution:

S. J. R. 37. Relative to the adjournment of the two Houses to meet again on Tuesday, June 25th, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Davis:

H. 554. Relating to Cullman County; changing the method of compensating certain officers of the county; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Cullman County; changing the method of compensating certain officers of the county; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Cullman County shall receive the following annual salaries in lieu of all other compensation:

- (a) Probate Judge—\$9,000.00.
- (b) Sheriff—\$8,500.00.
- (c) Tax Assessor—\$7,000.00.
- (d) Tax Collector—\$7,000.00.
- (e) Circuit Clerk—\$6,000.00.
- (f) Register of the Circuit Court—\$6,000.00.

Section 2. The court of county commissioners, board of revenue or like governing body of Cullman County shall provide compensation for clerks and assistants for the officers enumerated in Section 1 of this Act in such number as may be necessary for the efficient conduct of their offices. Temporary clerks or assistants may be allowed any of such officers from time to time as deemed necessary by the county governing body. Each officer shall appoint his own clerks and assistants, and shall fix their compensation, subject to the approval of the board of revenue, court of county commissioners, or like county governing body as to the total amount of all salaries to of county roads and bridges in the county, be allowed each officer for assistants or clerks.

Section 3. All fees, commissions, percentages, allowances, charges, and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected for the use of Cullman County, and shall be paid into the general fund of the county. The compen-

sation of the officers enumerated in Section 1 of this Act and of their clerks and assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue or like governing body of Cullman County shall provide the judge of probate, sheriff, tax assessor, tax collector, circuit clerk, and register of the circuit court with the offices, books, stationery, office equipment, supplies, postage, telephone service, and other conveniences and equipment as may be necessary for the proper and efficient conduct of the affairs of their offices.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each officer named herein upon the adoption of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter and regulate the fees, commissions, percentages, allowances, or salaries of, and the method of compensating, the officers of Cullman County, provided the said amendment is adopted, at the expiration of the terms of the incumbents of such offices.

Apr. 12-19-26—May 2.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Democrat, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 12, April 19, April 26, and May 3, all in the year 1957.

ROBERT BRYAN.

Sworn to and subscribed before me May 6, 1957.

MARIE W. BERGIN,
Notary Public.

My Commission Expires 3-29-61.

Also:

By Messrs. Dawkins, Goodwyn, Nolen, and Hall:

H. 423. To make an appropriation for the relief of Mrs. Mary R. Jarrell.

Also:

By Mr. Hawkins:

H. 66. To amend Section 199 of Title 7, Code of Alabama (1940), which provides for the service of process on nonresident owner or operator of a motor vehicle through the Secretary of State.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House were severally read one time and referred to the appropriate Standing Committees as follows:

H. 554—To the Committee on Local Legislation

H. 423—To the Committee on Finance and Taxation

H. 66—To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Lee (Barbour) and Gilmer:

H. 445. To transfer funds heretofore appropriated for Bangs' Disease control from amounts therein designated to be expended for salaries and for equipment purchases to the amount to be expended for other expenses during the fiscal year ending September 30, 1957.

Also:

By Messrs. Nolen, Adams (Tallapoosa), Stokes, McClendon, Hunt, Jenkins, Cox, Burkhalter, Johnson (Tallapoosa), Hall, Franklin, Payne, Mathison, Solomon, Brassell, Mathews, Rodgers, Cornett, Edwards (Escambia), Crook, Hain, Steagall, Stenbridge, McKay, Law, Ferrell, Johnson (Elmore), Ashworth, deGraffenried, Callahan, Speaks, Gist, Money, Nettles, Davis, Selman, Dement, Oden, Branyon, Brown (Lamar), Haltom, Nice, Perry, Gilchrist, Roberts, Kelly, Lee (Lawrence), Reynolds, Vacca, Shumate, Holliman, Oakley, McNider, Bradford, Wood, Bassett, Boyd, Kendall, Fite, McLendon, Brown (Lee), Ward, Lee (Barbour), Thomas, Hodges, Faulk, Pirkle, Richardson, Ramey, Martin, Harrison, Harvey, Pruitt, Locke (Perry), DeSear, Gilmer and Hardy:

H. 490. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. 445—To the Committee on Finance and Taxation

H. 490—To the Committee on Public Roads and Highways

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Ferrell, Burkhalter, Money, and Gist:

H. 212. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Also:

By Mr. Kaul:

H. 510. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1957.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. 212—To the Committee on Judiciary

H. 510—To the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

The Bill:

H. 250. To provide further for the salary and compensation of the superintendent of education of Winston County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Eddins	Metcalf	Shelton
Boutwell	Flowers	Moses	Smith
Calvin	Givhan	Newton	Vann
Cantrell	Goodwin	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James		—21

Nays: —0

The Bill:

H. 434. Relating to Dale County: To fix the compensation of the Superintendent of Education of such county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Skidmore
Bradford	Goodwin	Metcalf	Smith
Calvin	Hall	Reeves	Tate
Cooper	Jones	Roberts	Vann
Dyar	Lamberth	Shelton	Yarbrough (Autauga)
Engelhardt	Leonard		—21

Nays: —0

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Fifteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Fifteenth Legislative Day approved by the Senate.

ADJOURNMENT

At 12:35 P. M. on motion of Mr. Lamberth and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until Tuesday, June 25, 1957 at 12 o'clock Noon.

SIXTEENTH LEGISLATIVE DAY

Tuesday, June 25, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Reverend Haywood L. Scott, Pastor, St. Marks Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones		—33

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVES OF ABSENCE

On motion of Mr. Reeves, leave of absence was granted Mr. Bradford for today.

On motion of Mr. Eddins, leave of absence was granted Mr. Robison for today.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Metcalf:

S. 326. To provide for the establishment, maintenance, and operation of a trade school for the prison system of Alabama at Draper Prison, and to provide an appropriation therefor.

Committee on Finance and Taxation.

By Mr. Reeves:

S. 327. To amend Section 52 of Title 37 of the Code of Alabama of 1940, as heretofore amended, so as to authorize boards of commissioners of municipalities whose form of government is controlled by the provisions of Article 1 of Chapter 4 of Title 37 of the Code of Alabama of 1940, to provide by ordinance for the holding of regular public meetings on the second and fourth Tuesdays of every month.

Committee on Municipalities and Municipal Organizations.

By Mr. Flowers:

S. 328. To amend Title 13, Section 186, Code of Alabama 1940.

Committee on Finance and Taxation.

By Messrs. Roberts, Moses, Lamberth, Allen, Davis (Pickens), and Grisham:

S. 329. To provide for filing of suit against companies publishing newspapers with over 40,000 daily circulations in any county in the state of Alabama where said newspapers are circulated, delivered or sold.

Committee on Judiciary.

By Mr. Roberts:

S. 330. To amend an act approved September 4, 1951, entitled "An Act Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities" (Act No. 671, H. 921, Acts of 1951, Vol. II, p. 1158).

Committee on Judiciary.

By Mr. Roberts:

S. 331. To amend Section 3 of an act approved June 19, 1951, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 47,000 people nor more than 100,000 people, according to the preliminary count of April 1, 1950, of the 1950 Federal Census or any succeeding regular decennial Federal Census; providing for the name, number, and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city, and providing for their compensation for duties herein imposed; providing for the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general or special, in conflict with the provisions hereof" (Act No. 112, H. 380, Acts of 1951, p. 337).

Committee on Judiciary.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 195. To provide for the appointment of bailiffs for the circuit courts of all counties having a population of not less than 135,000 nor more than 225,000 inhabitants, according to the last or any subsequent federal decennial census, to regulate their compensation and provide for the payment thereof.

Also:

S. 243. To authorize and direct the Board of Education of Houston County to determine and fix the annual salary to be paid the Superintendent of Education, commencing at the beginning of the next term of office.

Also:

S. 284. Proposing an amendment to the Constitution of Alabama, relative to the levying of additional taxes for school purposes within Montgomery County.

Also:

S. 291. To alter, re-arrange, and re-define the boundaries of the City of Tuskegee in Macon County.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 161. Relating to Winston County; reorganizing the county government abolishing the Board of Revenue of Winston County, and creating in lieu thereof the Board of Finance and Control of Winston County; prescribing the power, authority, and jurisdiction of the Board of Finance and Control; providing for the selection, qualifications, terms, power, duties, and compensation of the members thereof; and to repeal conflicting laws.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Allen, the Senate concurred in and adopted the following House Amendment to the Bill, S. B. 161, the title of which is set out in the foregoing Message from the House, to-wit:

AMENDMENT OF S. B. 161

In Section 2 of the bill, page 1, strike out the phrase, "The chairman first appointed by the Governor under this section shall be appointed by and with the advice and consent of the Senate," and insert in lieu thereof the phrase, "The chairman first appointed by the Governor under this section shall be appointed by and with the advice and consent of both Houses of the Legislature"

Also, on page 5 of the bill, strike out all of Section 19 and substitute the following as a new Section 19:

Section 19. The provisions of this Act shall not become operative in Winston County unless the qualified electors of Winston County vote against the proposition submitted to them at a referendum election as provided in H. B. 183 enacted at the 1957 Regular Session of the Legislature, regarding the construction, maintenance and repair of roads and bridges in Winston County. If a majority of the electors voting at the election provided for in said H. B. 183 vote against the proposition submitted at such election, this Act shall become effective and operative immediately after the canvass of the votes and ascertainment of the results. If a majority of the electors voting at the election provided for in said H. B. 183 vote in favor of the proposition submitted therein, then this Act shall have no further effect.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Jones
Allen	Davis (Pickens)	Goodwin	Moses
Boutwell	Dyar	Grisham	Newton
Calvin	Eddins	Hall	Reeves
Cantrell	Engelhardt	James	Roberts
Cooper	Flowers		

—21

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Selman and Shumate:

H. 170. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County, Alabama.

Also:

By Messrs. Holliman and Kirkham:

H. 228. To regulate further the office of solicitor of the Seventeenth Judicial Circuit of Alabama; creating a solicitor's fund for each county composing the circuit, and providing for the expenditure and use thereof.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees as follows:

H. B. 170—to the Committee on Finance and Taxation

H. B. 228—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Martin, Branyon, and Ramey:

H. 540. To make an additional appropriation to the Alabama Alcoholic Beverage Control Board for equipment purchases.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 540—to the Committee on Finance and Taxation

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Allen (with notice and proof):

S. 312. To provide further for purging the lists of registered voters in Cullman County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; requiring the beat committeemen or other members of political parties organized in Cullman County to serve as clerks of the board of registrars in connection with the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

By Mr. Leonard (with notice and proof):

S. 315. To amend further Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners."

By Mr. Reeves (with notice and proof):

S. 321. To amend an Act, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners," approved October 19th, 1932, as amended by Act No. 295, Acts of The Regular Session of 1943, approved June 28, 1943.

By Messrs. Lackey et al (with notice and proof):

H. 326. To vacate certain Streets and portions of Streets and other Public Ways in part of the area in the City of Birmingham lying North of First Avenue North; East of 39th Street; South of the Central of Geor-

gia Railroad right-of-way and West of the Southern Railroad right-of-way.

By Messrs. Johnson (Tallapoosa) and Adams (Tallapoosa) (with notice and proof):

H. 522. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

By Messrs. Callahan and deGraffenried:

H. 524. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits having two Circuit Judges composed of one County having a population of not less than 94,000 people nor more than 135,000 people according to the last or any subsequent Federal decennial census.

By Mr. Hodges (with notice and proof):

H. 525. Relating to St. Clair County; authorizing and directing the court of county commissioners of St. Clair County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

By Mr. Hodges (with notice and proof):

H. 526. Relating to St. Clair County: To fix the compensation of the coroner.

By Mr. Cox (with notice and proof):

H. 538. To amend Section 7 of the Act of the Legislature of Alabama, approved June 28th, 1943, by the Governor, by which the Municipal Utilities Board of Albertville, Alabama, was created, being Act Number 287 of the regular session of the Legislature of Alabama of 1943.

By Mr. Hodges (with notice and proof):

H. 542. Relating to St. Clair County: To amend Act No. 439, H. 933, approved August 17, 1951, (Acts of Alabama 1951, page 790), which impose extra, new and additional duties on the Tax Assessor and Tax Collector.

RESOLUTIONS

Mr. Reeves offered the following Senate Joint Resolution, to-wit:

S. J. R. 39. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two Houses adjourn on Friday, June 28, they adjourn to meet again on Tuesday, July 9; and

Resolved further, that the recess shall be taken without pay. All employees of the Legislature shall be laid off without pay during such recess, except the following: The Secretary of the Senate, Assistant Secretary of the Senate, Second Assistant Secretary of the Senate, Chief Clerk of the Senate, Reading Clerk of the Senate, Enrolling Clerk of the Senate and 25 other Senate clerks, to be selected by the Secretary; also, the Clerk of the House, the three Assistant Clerks of the House, the Enrolling-Engrossing Clerk, the Chief Clerk, Reading Clerk and 25 other clerks of the House to be selected by the Clerk of the House.

On motion of Mr. Reeves, the Rules were suspended and the Resolution was adopted by the Senate.

Mr. Davis (Lowndes) offered the following Senate Joint Resolution, to-wit:

S. J. R. 40. Whereas there are in existence certain Federal regulations governing the interstate movement of livestock which are designed

to be enforceable and in force in this State at all stockyards and livestock markets located therein; and

Whereas such regulations are enforceable by the U. S. Department of Agriculture and its agents, and should be enforced throughout the State without discrimination; and

Whereas it appears that there is only on place in this State where such regulations are enforced, to wit, at the Union Stockyards in the City of Montgomery; now therefore,

Be it resolved by the Senate, the House of Representatives concurring, That the Legislature of Alabama hereby petitions the U. S. Department of Agriculture to either enforce the aforesaid regulations without discrimination or rescind the same in toto; and

Resolved further, that the Secretary of the Senate be directed to send a copy of this resolution to the director of the Agricultural Research Service, U. S. Department of Agriculture; to each member of Alabama's delegation in the Congress; and to the Commissioner of Agriculture and Industries of the State of Alabama.

Which was read and referred to the Standing Committee on Rules.

Messrs. Eddins, Calvin, Allen, Dyar, Newton, Grisham, Metcalf, Hall, Davis (Pickens), Tate, Roberts, Little, Engelhardt, Jones, Flowers, Shelton, Skidmore, Yarbrough (Randolph), Yarbrough (Autauga), Van Antwerp, Moses, Vann, Boutwell, Goodwin, James, Cooper, Davis (Lowndes), Reeves, Leonard, Smith, Cantrell, and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 41. Relative to the death of Mrs. Laura Hill Robison.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature note with deep regret the passing of Mrs. Laura Hill Robison, mother of the distinguished Senator from Montgomery, and extend their most sincere sympathy to Senator Vaughan Hill Robison and the members of his family for their great loss.

On motion of Mr. Calvin, the Rules were suspended and the Resolution adopted by the Senate.

RESOLUTION

The Senate proceeded to consideration of the Resolution:

H. J. R. 14. Relative to pay for members of the Legislature who served as advisors to the Governor during the public hearings on present budget.

On motion of Mr. Lamberth, the Senate concurred in and adopted the Resolution.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Goodwin	Metcalf	Tate
Cooper	Grisham	Moses	Van Antwerp
Davis (Lowndes)	Hall	Newton	Vann
Davis (Pickens)	James	Reeves	Yarbrough (Autauga)
Dyar	Jones	Roberts	Yarbrough (Randolph)

—31

Nays:

—0

FURTHER CONSIDERATION OF S. J. R. 14

Mr. Metcalf moved that the Senate adopt the Resolution:

S. J. R. 14. A legislative committee is hereby created to study developments in the field of nuclear energy and the role that the states should take therein.

Mr. Davis (Lowndes) moved that the Resolution be re-referred to the Standing Committee on Rules.

Mr. Metcalf moved that the Motion to re-refer be laid on the table, and the motion to table was lost.

Yeas 14; Nays 16.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Roberts	Yarbrough (Randolph)
Dyar	Lamberth	Shelton	—14

Nays:

Messrs.:	Davis (Pickens)	Hall	Newton
Boutwell	Eddins	James	Reeves
Calvin	Engelhardt	Jones	Tate
Cooper	Givhan	Little	Yarbrough (Autauga)
Davis (Lowndes)			—16

The question recurred on the motion of Mr. Davis (Lowndes), and said Resolution was re-referred to the Standing Committee on Rules.

RECESS

At 1 o'clock P. M., on motion of Mr. Eddins, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

SIXTEENTH LEGISLATIVE DAY

Tuesday, June 25, 1957

The Senate reassembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones		—33

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Flowers and Shelton:

S. 332. Relating to investments of fire and/or casualty insurers authorized to do business in Alabama with limitations applicable to such investments and prohibiting such insurers from making certain investments; requiring authorization by the board of directors or other governing body or by a duly authorized committee for the making by such insurers of any loans or investments; providing for the enforcement of this act; providing for a period of grace which may be allowed such insurance companies for compliance with certain provisions of this act; providing for severability of the provisions of this act; providing an effective date for this act.

Committee on Insurance.

By Messrs. Flowers and Lamberth:

S. 333. To regulate investments of life insurance companies, fraternal benefit societies or associations; to repeal all other laws and parts of laws in conflict herewith; to provide for the severability of this act; to provide an effective date for this act.

Committee on Insurance.

By Mr. Tate:

S. 334. To amend sections 3 and 5 of Act No. 1, H. 46 approved May 22, 1945 (General Acts of Alabama 1945, page 1) which provided for the regulation, control and supervision of the drilling for and production and use of oil and gas in the State and incident thereto created the oil and gas board, by prescribing additional qualifications for members and employees of such board.

Committee on Forestry and Conservation.

By Mr. Tate:

S. 335. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

Committee on Judiciary.

By Mr. Tate:

S. 336. To reapportion the membership of the House of Representatives among the several counties of the State.

Committee on Judiciary.

By Messrs. Calvin, Smith, Skidmore, Lamberth, Vann, Boutwell, Jones, Reeves, Davis (Lowndes), Flowers, Engelhardt, Givhan, Goodwin, James, and Moses:

S. 337. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Medical Center in Birmingham.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Tate:

S. 338. To propose an amendment to the Constitution of Alabama to provide that failure of the Legislature to reapportion itself after each de-

cennial census of the United States shall render its actions thereafter invalid.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Davis (Pickens), Roberts, Grisham, Vann, Moses, James, Skidmore, Yarbrough (Randolph), Dyar, Leonard, and Newton:

S. 339. To amend Section 12 of Title 29, Code of Alabama (1940), which relates to the advertising of alcoholic beverages.

Committee on Temperance.

By Mr. Reeves:

S. 340. To amend Sections 3 and 5 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

Committee on Judiciary.

By Mr. Reeves:

S. 341. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

Committee on Judiciary.

By Mr. Roberts:

S. 342. To amend Section 20 of Title 34 of the Code of Alabama of 1940, as last amended, and to provide for a divorce in instances where there has been a divorce from bed and board or a decree of separate maintenance, for more than seven years.

Committee on Judiciary.

RESOLUTIONS

Mr. Davis (Pickens) offered the following Senate Joint Resolution, to-wit:

S. J. R. 42. Whereas, many of the recent decisions of the United States Supreme Court seem to indicate that the primary aim of the court is the usurpation of the police powers of the various states and the destruction of states rights; and

Whereas, the court has attempted to assume powers beyond those conferred on it by the Constitution; and

Whereas, the justices of the court seem to have been influenced adversely by the very groups which are bent on the destruction of the American way of life, and have based their decisions on ideologies rather than legal principles, thereby disqualifying themselves as judges; and

Whereas, the continued service of unqualified persons on the court will seriously jeopardize the rights and liberties of the people of this great nation; and

Whereas, Congressman George W. Andrews of Alabama has indicated that he and various other members of the United States House of Representatives are laying plans to bring about the impeachment of members of the United States Supreme Court, and that the group is having an impeachment resolution prepared to accomplish that purpose; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses thereof concurring,

1. That the Honorable George W. Andrews and his colleagues be commended for their efforts toward having the members of the United States Supreme Court impeached, and that the Legislature heartily approves and endorses their action.

2. That the Secretary of the Senate be directed to send a copy of this resolution to each member of the Alabama Congressional Delegation.

Which was read and referred to the Standing Committee on Rules.

Mr. Metcalf offered the following Senate Joint Resolution, to-wit:

S. J. R. 43. Whereas the State of Mississippi has as its chief executive one of the most distinguished men living in the country today, a man who led the South's fight at the last national convention of the Democratic Party as a member of the platform committee; and

Whereas the esteemed Governor of Mississippi is vitally interested in the Tennessee-Tombigbee River Development Project, as well as many other problems common to the States of Mississippi and Alabama, which were formed from the same colonial territory, including the Tidelands Oil Case now pending in the Supreme Court of the United States; now therefore,

Be it resolved by the Senate, the House of Representatives concurring, That a committee of one Senator and one Representative be named to invite Governor Coleman to address a joint session of the two Houses of the Legislature of Alabama at a time, and on such subject as may be agreeable to him; and

Resolved further, that the committee report its action to each House at the earliest possible date.

On motion of Mr. Metcalf, the Rules were suspended and the Resolution adopted by the Senate.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Mr. Metcalf.

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 44. RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That Senate Bill 16, which exempts all livestock (Including poultry) from all taxes levied and assessed on property according to its value, which has passed both Houses, be known and designated as "The Lamberth, Flowers, Givhan, Shelton, Yarbrough (Autauga), Davis (Lowndes), Davis (Pickens), Little, Reeves, Eddins, Hall, Boutwell, Cooper, James, Tate, Roberts, Engelhardt, Allen, Lee (Barbour), Boyd, Oakley, Nettles, Hall, Locke (Choctaw), Hare, Taylor, Shumate, Payne, Mathews, Killough, Kendall, Albea, Windle, Ramey, Branyon, Martin, Steagall, Kirkham, Edwards (Escambia), Bassett, Mathison, Stokes, Merrill, McNider, Dickson, Lee (Lawrence), Ferrell, Thomas, Davis, Pruitt, Perry, Oden, Gist, Edwards (Jefferson), Ashworth, Hanby, Law, McKay, Summerlin, Reynolds, Hodges, Pirkle, Faulk, Holliman, Franklin, Brannan, Cornett, Hardy, Goodwyn, Lackey, Harrison, Crook, McLendon, Rodgers, Johnson (Tallapoosa), Bradford, Brooks, Solomon, Jenkins, Hunt, Gilmer, Kelly, Callahan, Hain, Brown (Lamar), Nolen, Wood, Stembridge, Grouby, and Hawkins Bill."

On motion of Mr. Lamberth, the Rules were suspended and the Resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 35. Relative to meeting of the Alabama State Bar Association on July 18, 19 and 20.

Also:

S. J. R. 36. Relative to naming S. B. 52 "The Jones, Calvin, Steagall, Fite, Harrison, and Hain Bill".

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 34. Relative to National Blind Golfers' Association tournament in Birmingham, Alabama, July 26-28.

And the Speaker of the House has named as a Committee on the part of the House Messrs. Nettles, Kendall and Lackey.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, and House Joint Resolutions, your signature thereto is requested.

H. 18. To amend further Section 2 of Title 51 of the Code of Alabama, 1940, which relates to exemptions of persons and property from ad valorem taxation.

Also:

H. 250. To provide further for the salary and compensation of the superintendent of education of Winston County.

Also:

H. 434. Relating to Dale County: To fix the compensation of the Superintendent of Education of such county.

Also:

H. J. R. 14. Relative to compensation for advisors serving during public hearings on the present budget.

Also:

H. J. R. 35. Relative to the death of Paul H. Snow, and extending sympathy to the surviving members of his family.

Also:

H. J. R. 37. Relative to retired teachers qualifying for social security benefits.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 161. Relating to Winston County; reorganizing the county government abolishing the Board of Revenue of Winston County, and creating in lieu thereof the Board of Finance and Control of Winston County; prescribing the power, authority, and jurisdiction of the Board of Finance and Control; providing for the selection, qualifications, terms, power, duties, and compensation of the members thereof; and to repeal conflicting laws.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 41. Relative to expressing deep regret on the passing of Mrs. Laura Hill Robison, mother of the distinguished Senator from Montgomery, and extending their most sincere sympathy to Senator Vaughan Hill Robison and the members of his family for their great loss.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House and originated and adopted the following joint resolution:

By Messrs. Shumate, Selman and Davis:

H. J. R. 39. We, the members of the House and Senate, would like to thank Southern Bell Telephone Company for the new telephone booths which have been installed in the lobby.

This will relieve our congested situation and be a benefit to all members of the House and Senate.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cooper, the Rules were suspended and the Resolution, H. J. R. 39, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Kaul:

H. J. R. 36. BE IT RESOLVED by the House of Representatives, the Senate concurring, that:

WHEREAS, there have been introduced a number of bills in both houses of the legislature, a large number of which have overlapping and possibly conflicting provisions, particularly concerning the operation of the public school system, the exercise of the police power of the state, counties and municipalities, the registration of voters, and other matters of general importance, and

WHEREAS, the convenience of persons interested in such legislation in presenting their views thereon, and the orderly and expeditious consideration of such proposed legislation by the regular constituted committees and by the legislature would be facilitated by a joint committee of both houses created to review, consider, and coordinate such bills and resolutions.

THEREFORE, BE IT RESOLVED THAT:

1. The Speaker of the House and the President of the Senate respectively appoint 7 members of the House and 7 members of the Senate to serve as a Coordinating Committee of the Legislature;

2. There shall be sent to the Coordinating Committee for its recommendations by the chairmen of the regular standing committees to which bills and resolutions have been referred, copies of all bills and resolutions dealing with the maintenance of peace and order of the state or any community, the exercise by the state or any county or municipality of its police power, the operation of public schools, and other related matters deemed to be suitable for the consideration and recommendations of said committee;

3. Said Coordinating Committee shall meet at such times, places, and manner as it may determine to consider, coordinate and make recommendations with respect to bills and resolutions of both houses which may be sent to it;

4. Standing committees defer public hearings or other action upon bills or resolutions referred to them while the same are before the Coordinating Committee for its recommendations.

5. The Clerk of the House and the Secretary of the Senate are requested to provide the Committee with the necessary clerical assistance.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Resolution, H. J. R. 36, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Haltom and Broadfoot:

H. 515. To regulate further the office of Circuit Solicitor of the Eleventh Judicial Circuit. Creating special funds for expenditure for the benefit of the Circuit Solicitor in law enforcement and in the conduct of his office.

Also:

By Messrs. Bradford and McNider:

H. 557. Relating to counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; authorizing the payment of the salaries of certain employees of such counties on a semi-monthly basis.

Also:

By Messrs. Perry and Nice:

H. 87. To provide costs and fees to be charged by the Sheriff of a County for handling prisoners arrested at the request of a demanding State for extradition.

Also:

By Messrs. Callahan and deGraffenried:

H. 162. To amend further Section 55 of Title 8, Code of Alabama (1940), which relates to certain fees taxed as part of the costs in cases involving violations of the State game and fish laws.

Also:

By Mr. Ward:

H. 225. To provide for constructing and equipping a building at Auburn, Alabama for the State Toxicologist; and to make an appropriation for that purpose.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 515 and 557—to the Committee on Local Legislation

H. B.'s 87 and 162—to the Committee on Judiciary
H. B. 225—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 75. To make an additional appropriation to the Board of Nurses' Examiners and Registration for the purchase of office supplies and equipment.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

ORDER TO PRINT

On motion of Mr. Roberts, 500 copies of the Bill, S. B. 339, were ordered printed for the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 140. To provide an expense allowance for each member, other than the president or chairman, of the court of county commissioners, board of revenue or other like governing body of any county having a population of not less than 29,000 nor more than 29,350, according to the last or any subsequent federal decennial census.

Also:

S. 58. To authorize and provide for the producers of certain agricultural commodities to act jointly and in cooperation with handlers, processors, and the State Department of Agriculture and Industries in promoting the production, distribution, use and consumption of such commodities; providing that producers may levy upon themselves assessments for the purpose of financing a promotional program, and providing for the imposition of such assessments and the collection thereof; superseding an act approved October 9, 1947 entitled "An Act To enable farmers who are producers of agricultural commodities to act jointly with dealers and processors in promoting the sale, distribution and consumption of such Alabama products" (Act No. 699, H. 594, General Acts of 1947, p. 536).

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. McClendon and Hunt:

H. 32. To authorize the Director of Conservation to enter into agreements of reciprocity with Conservation Commissioners and other proper officials of adjoining states concerning the catching or taking of fish. To provide a license tax for non—resident fishermen or citizens of adjoining states which have a reciprocal agreement with Alabama.

Also:

By Messrs. Payne, Lee (Barbour), Brooks, Wood, Kirkham, Kendall, Dawkins, Nice, Perry, Vacca, Lackey, Hawkins, Martin, Merrill, McNider, Adams (Jefferson), Thomas, Ashworth, Lee (Lawrence), Hunt, Nolen and Edwards (Escambia):

H. 203. Proposing an amendment to the Constitution of Alabama, to authorize the use of a portion of the proceeds derived from the levy of certain special county taxes for the purpose of providing hospital care and treatment for certain indigent residents of the county.

Also:

By Messrs. Edwards (Escambia), Payne, Lee (Barbour), Brooks, Sumnerlin, Wood, Kirkham, Kendall, Dawkins, Nice, Perry, Vacca, Lackey, Lee (Lawrence), Hawkins, Martin, Merrill, McNider, Adams (Jefferson), Thomas, Ashworth, Hunt and Nolen:

H. 204. To provide a hospital service program for certain indigent residents of the State of Alabama; prescribing the power, duties, and authority of the State Board of Health in the administration and enforcement of the Act; to provide for the appointment, duties, and compensation of the members of an advisory committee, who shall consult with and advise the State Board of Health on matters pertaining to the administration and enforcement of the Act; to provide for the appointment of an admissions committee in each county to determine the indigency of persons making application for hospitalization as indigents, and to prescribe the power, duties, and compensation of members of the admissions committee; to regulate the distribution and expenditure of funds appropriated for the purpose of carrying out the provisions of the Act; and to prescribe penalties for violations of the Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 32—to the Committee on Fish and Game

H. B. 203—to the Committee on Constitution and Constitutional Revision and Amendments

(The above Bill was read at length as required by the Constitution.)

H. B. 204—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Dawkins, Thomas, Hawkins and deGraffenried:

H. 504. To amend Section 354 of Title 51 of the Code of Alabama 1940, relating to the due date of franchise tax.

Also:

By Messrs. Dawkins, Thomas, Hawkins and deGraffenried:

H. 505. To amend Section 346 of Title 51 of the Code of Alabama 1940, relating to Domestic Corporation Permits.

Also:

By Messrs. Dawkins, Thomas, Hawkins and deGraffenried:

H. 506. To amend Section 345 of Title 51 of the Code of Alabama 1940, relating to Foreign Corporation Permits.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 504, 505, and 506—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Nolen, Boyd, Kendall, Goodwyn, McKay, Gilchrist, Roberts, Lee (Lawrence), Perry, Windle, Pruitt, Gist, Speaks, Johnson (Elmore), Pirkle, Adams (Tallapoosa), Merrill, Albea, Hawkins, Branyon, Brown (Lamar), Shumate, Selman, Gregory, Kaul, Edwards (Escambia), Mathews, Lackey, Taylor, Brooks, Killough, Solomon, Mathison, Steagall, Hardy, Gilmer and McNider:

H. 283. To authorize the boards of registrars to strike the names of registered voters from the registration lists at any time the board is in session, provided that certain conditions prescribed in the Act have been met.

Also:

By Messrs. Ashworth, Kendall, Richardson, Fite, Brown (Lamar), Grouby, Nettles, Hawkins, Gist, Pirkle, deGraffenried, Hare, Ferrell, Callahan, Speaks, Johnson (Elmore), Jenkins, Hunt, Cox, Locke (Perry), DeSear, Lackey, Harrison, Pruitt, Harvey, Martin, Windle, Shumate, Money, Reynolds, Haltom, Nice, Huddleston, Dement, Selman, Branyon, Gregory, Lee (Lawrence), Kelly, Roberts, Perry, Vacca, Adams (Jefferson), Adams (Tallapoosa), Hodges, Merrill, Gilmer, Hardy, Mathews, Hain, Steagall, Lee (Barbour), Thomas, Ward, Brown (Lee), Simon, Murphy, Tyson, Oakley, McNider, Bradford, Wood, Kirkham, Killough, Taylor, Bassett, Nolen, Goodwyn, Brannan, Brooks, Love, Edwards (Escambia), Stenbridge, Dawkins, Oden, Kaul, McKay, Summerlin, Stokes, Locke (Choctaw), Edwards (Jefferson), Davis, McClendon, McLendon, Hall, Solomon and Mathison:

H. 553. To propose an amendment of the Constitution of Alabama, relating to the rate of interest on bonds issued under the provisions of an amendment to the Constitution proposed by Act No. 125, Acts of Alabama, 1956, p. 179, submitted November 6, 1956, and proclaimed ratified November 15, 1956 (Proclamation Record K, p. 107).

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 283—to the Committee on Privileges and Elections

H. B. 553—to the Committee on Constitution and Constitutional Revision and Amendments

(The above Bill was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. deGraffenried:

H. 167. For the relief of Murray R. Lollar.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 167—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Brown (Lee):

H. 475. To re-divide the State into judicial circuits to create the Thirty-Third Judicial Circuit and to provide for a judge and solicitor of the newly-created circuit.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 475—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Martin and Lee (Barbour):

H. 219. To amend Sections 1 and 6 of an Act entitled "Establishing a system of diversified prison industries to be operated with the use of prisoners of the State; providing for the classification and training of prisoners employed in prison industries; providing for the requisitioning, purchase, and supply of prison products for the use and consumption of tax supported institutions, departments, boards, commissions and other agencies of the State; providing for the purchase of supplies, materials and equipment required for the operation of prison industries; establishing a

revolving fund for the operation of prison industries; and providing penalties for violations of this Act," approved August 31, 1953.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 219—to the Committee on Finance and Taxation

BILLS ON THIRD READING

The Bill:

S. 86. To amend further Section 365 of Title 52, Code of Alabama, 1940, which relates to the teachers' retirement system.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Skidmore
Allen	Engelhardt	Leonard	Smith
Boutwell	Flowers	Little	Tate
Calvin	Givhan	Metcalf	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Shelton	Yarbrough (Randolph)
Dyar	Jones		—29

Nays:

—0

The Bill:

H. 442. Relating to Tallapoosa County; providing for the compensation of the county superintendent of education; repealing Act No. 88, H. 217, approved June 15, 1953.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Hall	Shelton
Allen	Dyar	Lamberth	Smith
Boutwell	Flowers	Metcalf	Tate
Calvin	Givhan	Reeves	Vann
Cantrell	Goodwin	Roberts	Yarbrough (Randolph)
Cooper	Grisham		—21

Nays:

—0

The Bill:

H. 521. To amend further Section 1 of the act approved May 25, 1945, which regulates the compensation of the superintendent of education of Henry County (Act No. 30, S. 99, Local Acts of 1945, p. 39).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Shelton
Boutwell	Flowers	Metcalf	Smith
Calvin	Goodwin	Newton	Tate
Cooper	James	Reeves	Vann
Davis (Lowndes)	Jones	Roberts	Yarbrough (Autauga)
Dyar	Lamberth		—21

Nays:

—0

The Bill:

H. 437. To fix the compensation of the county superintendent of education of Washington County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Leonard	Smith
Boutwell	Flowers	Little	Tate
Calvin	Goodwin	Moses	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Pickens)	James		—21

Nays:

—0

The Bill:

H. 436. Relating to Walker County: providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act.

was taken up.

The Standing Committee on Local Legislation reported the following amendment to the Bill, to-wit:

AMENDMENT OF H. B. 436

Amend the bill by striking out the second sentence in Section 3 and substituting the following in lieu thereof: "The two associate members from Districts 2 and 3 shall be elected at the general election to be held in 1958, and shall hold office for terms of two years each from the first Monday after the second Tuesday in January, 1959, and until their successors shall have been elected and qualified. The two associate members of the board from Districts 1 and 4 and the successors to the two associate members first elected from Districts 2 and 3 shall be elected at the general election to be held in 1960, and every four years thereafter, and shall hold office for terms of four years each from the first Monday after the second Tuesday in January next following their election, and until their successors shall have been elected and qualified."

Also amend the bill by striking out the second sentence in Section 12 and substituting the following in lieu thereof: "The president and each

associate member of the Board shall receive a salary of six thousand dollars (\$6,000.00) per annum."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Little	Smith
Calvin	Goodwin	Metcalf	Tate
Cantrell	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
Dyar	Jones		—21

Nays: —0

And said Bill, as thus amended, was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Little	Smith
Calvin	Goodwin	Metcalf	Tate
Cantrell	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
Dyar	Jones		—21

Nays: —0

The Bill:

H. 438. To amend further an act approved November 4, 1950 entitled "An Act To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. I, p. 126).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Reeves
Allen	Dyar	Jones	Roberts
Boutwell	Engelhardt	Lam berth	Smith
Calvin	Flowers	Leonard	Tate
Cantrell	Givhan	Moses	Yarbrough (Autauga)
Cooper	Hall		—21

Nays: —0

The Bill:

S. 300. To amend Section 2 of the Act approved June 23, 1949, which created and established the Board of Revenue in and for Colbert County (Act No. 131, H. 333, 1949 Acts 157).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Shelton
Boutwell	Givhan	Metcalf	Smith
Cantrell	Hall	Newton	Tate
Davis (Lowndes)	James	Reeves	Vann
Dyar	Jones	Roberts	Yarbrough (Autauga)
Eddins	Lamberth		—21

Nays:

—0

The Bill:

S. 96. To provide for the creation of watershed conservancy districts for the purpose of developing and executing plans and programs relating to the conservation of water, water usage, flood prevention, flood control, prevention of erosion, and control of erosion, floodwater, and sediment damages; to prescribe the powers, duties, and authority of a board of directors of any such district, and to provide for the selection, term, qualifications, powers, duties, authority, and compensation of the members and employees thereof; to prescribe the powers, duties, and authority of the board of supervisors of any soil conservation district in the creation and dissolution of a watershed conservancy district, in supervising and directing the activities and operations of the board of directors in any such watershed conservancy district, and in otherwise carrying out the purposes of the Act; to authorize the board of directors of a watershed conservancy district to acquire property, or interests therein, by purchase, donation, condemnation, or otherwise, and to sell, lease, or otherwise dispose of such property, or interests therein, in carrying out the provisions of the Act; to provide that the board of directors may make and execute contracts and other instruments in carrying out the purposes of the Act, and to sue and be sued in the name of the district; to authorize the board of directors to construct, improve, operate, and maintain such structures and improvements as may be necessary in carrying out the purposes of the Act, and to borrow money and issue bonds for the purpose of acquiring rights of way and constructing, reconstructing, repairing, enlarging, operating, and maintaining such structures or improvements; exempting property acquired by any such district from all state, county, or municipal taxes; and to provide for withdrawals from, and dissolution of, any watershed conservancy district created under the provisions of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cooper	Grisham	Newton	Van Antwerp
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Lamberth		—29

Nays:

—0

The Bill:

S. 301. To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Metcalf	Shelton
Allen	Grisham	Moses	Smith
Boutwell	Hall	Newton	Tate
Cantrell	James	Reeves	Vann
Davis (Lowndes)	Jones	Roberts	Yarbrough (Autauga)
Flowers	Lamberth		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hare, Stokes, and Kendall:

H. 534. To regulate seating on public buses and public railroads and to provide penalties.

Also:

By Mr. Hare:

H. 537. To re-enact and amend Section 93 of Title 52, Code of Alabama (1940), which relates to county boards of education.

Also:

By Mr. Hare:

H. 536. To re-enact and amend Section 167 of Title 52, Code of Alabama (1940), which relates to city boards of education.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 534—to the Committee on Judiciary

H. B.'s 537 and 536—to the Committee on Education

COMMITTEE APPOINTED

In accordance with provisions of House Joint Resolution 36, heretofore adopted, the President and Presiding Officer appointed as committee on part of the Senate Messrs. Boutwell, Yarbrough (Randolph), Engelhardt, Lamberth, Robison, Vann, and Hall.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Jour-

nal of the Senate for the Sixteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Sixteenth Legislative Day approved by the Senate.

ADJOURNMENT

At 4:30 P. M., on motion of Mr. Eddins, the Senate adjourned until Friday, June 28, 1957, at 10 o'clock A. M.

SEVENTEENTH LEGISLATIVE DAY

FRIDAY, JUNE 28, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick, presiding.

PRAYER

The Session was opened with prayer by Dr. Garnett Puckett, Pastor, Clayton Street Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—34

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Reeves, leave of absence was granted Mr. Bradford for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 58. To authorize and provide for the producers of certain agricultural commodities to act jointly and in cooperation with handlers,

processors, and the State Department of Agriculture and Industries in promoting the production, distribution, use and consumption of such commodities; providing that producers may levy upon themselves assessments for the purpose of financing a promotional program, and providing for the imposition of such assessments and the collection thereof; superseding an act approved October 9, 1947 entitled "An Act To enable farmers who are producers of agricultural commodities to act jointly with dealers and processors in promoting the sale, distribution and consumption of such Alabama products" (Act No. 699, H. 594, General Acts of 1947, p. 536).

Also:

S. 75. To make an additional appropriation to the Board of Nurses' Examiners and Registration for the purchase of office supplies and equipment.

Also:

S. 140. To provide an expense allowance for each member, other than the president or chairman, of the court of county commissioners, board of revenue or other like governing body of any county having a population of not less than 29,000 nor more than 29,350, according to the last or any subsequent federal decennial census.

Also:

S. J. R. 34. Extending a welcome to the distinguished guests of Alabama who will attend the National Blind Golfers' Association 1957 tournament in Birmingham on July 26-28.

Also:

S. J. R. 35. Resolving that the two Houses of the Legislature will not meet on July 19, in order that the lawyer members may attend the meeting of the Alabama State Bar Association.

Also:

S. J. R. 36. Naming Senate Bill 52.

Also:

S. J. R. 41. Extending sympathy to Senator Vaughan Hill Robison and the members of his family in the death of Mrs. Laura Hill Robison, his mother.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Vann:

S. 343. To provide for establishing in counties of less than 139,000 population a consolidated system of records by the several boards of

registrars; for furnishing by county governing bodies of the necessary clerical assistance and supplies for setting up and maintaining such records; and for the registered electors to furnish information necessary to maintain such files in a manner consistent with the duties required to be performed by the boards of registrars.

Committee on Judiciary.

By Messrs. Vann, Engelhardt and Cooper:

S. 344. To relieve members of boards of registrars from civil liability for damages for violations of civil rights growing out of the performance of duties imposed upon them by the laws of this State; and to provide for the payment by the State of Alabama of judgments rendered against registrars by courts of competent jurisdiction in civil actions for such damages.

Committee on Judiciary.

By Messrs. Vann, Engelhardt and Cooper:

S. 345. To require every court in this State to cause to be entered the full name and date of birth of every person convicted in such court on the record or docket of the case; prescribing penalties.

Committee on Judiciary.

By Mr. Flowers:

S. 346. To amend Title 28, Sections 317 and 325 of the Code of Alabama 1940, as amended, which relates to the State Insurance Fund.

Committee on Insurance.

By Mr. Flowers:

S. 347. Relating to the licensing of general contractors; amending sections 66, 70, 73, 74, 76, 77, 79 and 80 of Title 46, Code of Alabama (1940).

Committee on Judiciary.

By Mr. Flowers:

S. 348. To make an appropriation to the Agricultural Center Board for each of the two fiscal years ending September 30, 1958 and September 30, 1959, for the purpose of aiding counties and municipalities in constructing and equipping facilities suitable for housing livestock shows, agricultural and industrial displays and other agricultural uses and purposes consistent with the betterment and advancement of agriculture.

Committee on Finance and Taxation.

By Messrs. Calvin, Lamberth, Yarbrough (Randolph), Allen and Cantrell:

S. 349. To appropriate to the Tennessee Valley Trade School at Decatur, Alabama, the sum of \$250,000 for the fiscal year ending September 30, 1958 and \$500,000 for the fiscal year ending September 30, 1959, out of any funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund, not otherwise appropriated, to be used and expended for capital outlay purposes only.

Committee on Finance and Taxation.

By Messrs. Engelhardt, Lamberth, Flowers and Jones:

S. 350. To provide for the employment of temporary clerks, typists and technical assistants by the Legislative Reference Service.

Committee on Finance and Taxation.

By Messrs. Yarbrough (Randolph) and Vann:

S. 351. To amend Section 37, Title 52, Code of Alabama 1940, to

authorize the State Board of Education and the trustees of all State institutions respectively, where education is a part of the program of the institution, to borrow money from Federal agencies, or from any private person, or corporation, or lending agency, for the erection of buildings, beautification of grounds, and the erection and maintenance of swimming pools at the several State institutions.

Committee on Education.

By Mr. Roberts:

S. 352. To regulate the sale of brake fluid by requiring registration of the product with the Commissioner of Agriculture and Industries; prescribing the registration fees and requiring a permit authorizing the sale of brake fluid; prohibiting the sale of inferior brake fluids and to authorize the adoption of standards and specifications governing the sale of brake fluids; to prescribe the penalty for violations and prescribing other administration and enforcement procedures.

Committee on Judiciary.

By Messrs. Robison, Skidmore and Flowers:

S. 353. To amend Section 122, as amended, Title 51, Code of Alabama, 1940:

Committee on Judiciary.

By Mr. Robison:

S. 354. Authorizing the court of county commissioners, board of revenue or like governing body of each county having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to make an annual grant toward the support of any museum of fine arts which may be in existence in the county.

Committee on Local Legislation.

By Mr. Robison:

S. 355. To provide for the terms of office of the members of boards of equalization in all counties having a population of not less than 125,000 nor more than 250,000 persons according to the last Federal Census or any future census; to fix the compensation and expense accounts of such members and to repeal all laws in conflict herewith.

Committee on Local Legislation.

By Mr. Robison:

S. 356. To provide for actions for wrongful death, and to repeal conflicting laws, and to repeal Section 123 of Title 7 of the Code of Alabama of 1940.

Committee on Judiciary.

By Mr. Robison:

S. 357. To provide for comparative negligence and to regulate the effect of contributory negligence as a defense.

Committee on Judiciary.

By Mr. Robison:

S. 358. To amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees.

Committee on Local Legislation.

By Mr. Robison:

S. 359. To fix the supplemental salary of the Deputy Circuit Solicitors of the Fifteenth Judicial Circuit of Alabama to provide that said supplemental salaries shall be paid out of the general fund of Montgomery County, Alabama, and to provide when said act shall go into effect.

Committee on Local Legislation.

By Mr. Lamberth:

S. 360. Relating to the municipality of Alexander City in Tallapoosa County; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of offstreet automobile parking facilities in such city; and providing for the creation of an automobile parking agency in and for such city.

Committee on Local Legislation.

By Mr. Van Antwerp:

S. 361. To amend the act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Committee on Local Legislation.

By Messrs. Lamberth, Metcalf, Flowers, Leonard, Van Antwerp, Roberts and Allen:

S. 362. To provide further for the executive of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, division, commission, committee, institution, corporation, authority, office, or other state agency.

Committee on Finance and Taxation.

By Messrs. Flowers, Lamberth, Vann, Cantrell, Grisham, Calvin, Roberts, Jones, Leonard, Reeves, Smith, Givhan, Robison, Davis (Pickens), Davis (Lowndes), and Allen:

S. 363. To amend Section 12 of Title 48, Code of Alabama (1940), which fixes the compensation of the president and associate members of the Alabama Public Service Commission.

Committee on Finance and Taxation.

By Messrs. Moses, Skidmore and Robison:

S. 364. Relating to the equipment of rail track motor cars used or furnished by common carriers by railroad for transporting employees; providing for the extension of necessary time in which to equip said cars; and penalizing those carriers who operate or furnish for operation such unequipped cars to their employes for transportation to or from their place or places of labor.

Committee on Judiciary.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following

bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 74. To amend Section 91, Title 58, 1940 Code of Alabama which relates to the plan of a Common Trust Fund.

By Mr. Roberts:

S. 330. To amend an act approved September 4, 1951, entitled "An Act Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities" (Act No. 671, H. 921, Acts of 1951, Vol. II, p. 1158).

By Mr. Roberts:

S. 331. To amend Section 3 of an act approved June 19, 1951, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 47,000 people nor more than 100,000 people, according to the preliminary count of April 1, 1950, of the 1950 Federal Census or any succeeding regular decennial Federal Census; providing for the name, number, and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city, and providing for their compensation for duties herein imposed; providing for the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general or special, in conflict with the provisions hereof" (Act No. 112, H. 380, Acts of 1951, p. 337).

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan and Skidmore:

S. 309. To amend further Section 27 of Title 11 of the Code of Alabama 1940, which relates to the fees and commissions allowed registers.

By Messrs. Lackey et al:

H. 325. To amend Section 19 of Act No. 248 of the Legislature of Alabama of 1945, approved July 6, 1945, General Acts of Alabama of 1945, pages 376-400, as heretofore amended by Act No. 109 of the Legislature of Alabama of 1956, approved February 14, 1956, Acts of Alabama, Special Sessions, 1956, pages 165-166.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan and Skidmore (with amendment):

S. 306. To amend further Section 21 of Title 11, Code of Alabama (1940), which relates to the fees allowed to clerks of circuit courts in civil cases.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan and Skidmore (with amendment):

S. 307. To provide for a fixed amount of costs for clerks of the circuit courts who are ex officio clerks of county courts, law and equity courts and courts of like jurisdiction in Alabama in criminal and quasi criminal cases.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan and Skidmore (with amendment):

S. 308. To amend further Section 69 of Title 45, Code of Alabama (1940), which relates to court costs payable out of the convict fund.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (with substitute):

S. 107. To provide that no written statement made by the accused on trial of a witness in a criminal proceeding shall be received as evidence for any purpose at the trial unless an exact copy of such statement is furnished to the accused or his attorney of record on demand therefor being made.

By Messrs. Calvin, Lamberth, Yarbrough (Autauga), Smith, Goodwin, Eddins, Allen, Newton, Givhan and Skidmore (with substitute):

S. 310. To amend further Section 89 of Title 11, Code of Alabama (1940), which relates to the fees of clerks of the circuit courts in criminal cases.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen:

S. 257. To provide permissive jury service for women; amending Sections 3, 18, 20, and 21 of Title 30, Code of Alabama (1940).

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Flowers Vann, Eddins, Little, Smith, Cantrell, Lamberth, Roberts, Allen, Metcalf, Leonard, Cooper, Skidmore, Moses, Davis (Pickens) and Goodwin:

S. 118. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

The above Bill was read a second time at length as required by the Constitution.

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate without recommendation and it was read a second time and placed on the calendar, to-wit:

By Messrs. Cooper, Davis (Pickens), Givhan, Engelhardt, Little, Bradford, Davis (Lowndes), James, Hall, Eddins, Yarbrough (Randolph), Tate and Yarbrough (Autauga) (without recommendation):

S. 167. Proposing an amendment to the Constitution relating to the payment of poll taxes as a prerequisite to voting.

The above Bill was read a second time at length as required by the Constitution.

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Vann, Moses and Calvin:

S. 193. To propose an amendment to the Constitution authorizing the Legislature to enact local legislation on certain subjects, and providing that the effectiveness of such legislation shall be conditioned upon its approval by the qualified electors of the county or counties affected thereby.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Cooper, Roberts, Robison and Flowers:

S. 229. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Calvin, Smith, Skidmore, Lamberth, Vann, Boutwell, Jones, Reeves, Davis (Lowndes), Flowers, Engelhardt, Givhan, Goodwin, James, and Moses:

S. 337. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Medical Center in Birmingham.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Davis:

H. 57. To propose an amendment to the Constitution of Alabama relative to the costs and charges of courts and the fees, commissions, percentages, allowances, and compensation of certain officers of Cullman County.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Ashworth et al:

H. 553. To propose an amendment of the Constitution of Alabama, relating to the rate of interest on bonds issued under the provisions of an amendment to the Constitution proposed by Act No. 125, Acts of Alabama, 1956, p. 179, submitted November 6, 1956, and proclaimed ratified November 15, 1956 (Proclamation Record K, p. 107).

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Kaul:

H. 510. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1957.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Flowers, Vann, Eddins, Little, Smith, Cantrell, Lamberth, Roberts, Allen, Metcalf, Leonard, Cooper, Skidmore, Moses, Davis (Pickens) and Goodwin (with amendment):

S. 119. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce, and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$10,000,000 and to incur indebtedness not exceeding in aggregate \$10,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$10,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and require others to charge in like manner for like services; and to provide an effective date of this Act.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Metcalf, Cantrell, Allen, Bradford, Moses and Vann:

S. 56. To authorize the execution of, and to give advance approval to a compact between the State of Alabama and the State of Mississippi and any contiguous state, for the purpose of promoting the development of a navigable interstate waterway connecting the Tombigbee and the Tennessee Rivers; to establish a joint agency and other offices for the administration of the compact; and to make an appropriation.

By Messrs. Skidmore and Bradford:

S. 213. To make an appropriation from the Oil and Gas Trust Fund to the University of Alabama for the purpose of constructing a building to house and quarter the records, offices and facilities of the State Oil and Gas Board.

By Messrs. Selman and Shumate:

H. 170. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County, Alabama.

By Messrs. Lamberth, Roberts and Flowers:

S. 24. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Roberts and Flowers (with amendment):

S. 23. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins, Goodwyn, Nolen and Hall:

H. 423. To make an appropriation for the relief of Mrs. Mary R. Jarrell.

By Mr. Ward:

H. 225. To provide for constructing and equipping a building at Auburn, Alabama for the State Toxicologist; and to make an appropriation for that purpose.

By Messrs. Martin and Lee (Barbour):

H. 219. To amend Sections 1 and 6 of an Act entitled "Establishing a system of diversified prison industries to be operated with the use of prisoners of the State; providing for the classification and training of prisoners employed in prison industries; providing for the requisitioning, purchase, and supply of prison products for the use and consumption of tax supported institutions, departments, boards, commissions and other agencies of the State; providing for the purchase of supplies, materials and equipment required for the operation of prison industries;

establishing a revolving fund for the operation of prison industries; and providing penalties for violations of this Act," approved August 31, 1953.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Roberts and Flowers (with amendment):

S. 26. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Martin, Branyon and Ramey:

H. 540. To make an additional appropriation to the Alabama Alcoholic Beverage Control Board for equipment purchases.

By Mr. Yarbrough (Randolph):

S. 303. To provide the sum of \$50,000, in addition to all other sums heretofore provided, for the payment of awards by the Board of Adjustment made during the fiscal year ending September 30, 1957.

By Messrs. Dawkins, Mathews, Hawkins and Hall:

H. 133. To amend Section 10 of Act No. 289, H. 273, approved August 26, 1955 (Acts of Alabama, 1955, Vol. I p. 661), which relates to the withholding of state income tax from wages, by providing further for refunds in cases in which there have been overpayments of the tax.

By Messrs. Lee (Barbour) and Gilmer:

H. 445. To transfer funds heretofore appropriated for Bangs' Disease control from amounts therein designated to be expended for salaries and for equipment purchases to the amount to be expended for other expenses during the fiscal year ending September 30, 1957.

By Mr. Goodwyn:

H. 142. To provide for the voiding of State warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Flowers (with amendment):

S. 328. To amend Title 13, Section 186, Code of Alabama 1940.

Mr. Boutwell, Chairman of the Standing Committee on Banking, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Yarbrough (Autauga) and Boutwell:

S. 131. To permit an infant to hold stock or other securities in corporations, to exercise rights relating thereto, including the transfer of the same, and to protect corporations relying upon such action without actual

notice of the infancy, and to permit infants to receive dividends on stock or other securities in corporations and to give complete acquittance and release therefor.

By Messrs. Yarbrough (Autauga) and Boutwell:

S. 132. Concerning gifts of securities and money to minors and to make uniform the law with reference thereto.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Haltom and Broadfoot:

H. 515. To regulate further the office of Circuit Solicitor of the Eleventh Judicial Circuit. Creating special funds for expenditure for the benefit of the Circuit Solicitor in law enforcement and in the conduct of his office.

By Messrs. Bradford and McNider:

H. 557. Relating to counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; authorizing the payment of the salaries of certain employees of such counties on a semi-monthly basis.

Mr. Vann, Chairman of the Standing Committee on Immigration, Industrial Resources and Labor, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate without recommendation, and it was read a second time and placed on the calendar, to-wit:

By Mr. Skidmore (without recommendation):

S. 33. To repeal Act No. 430, H. 222, approved August 28, 1953, which is known as the "Right to Work Act," and entitled "An Act to provide that the right of a person to work shall not be denied or abridged on account of membership or non-membership in any labor union or labor organization, and to prohibit agreements or combinations requiring membership in a labor union or labor organization as a condition of employment or continuation of employment, and to provide for rights and remedies with reference thereto" (Acts of 1953, Vol. I, pp. 535-537).

Mr. Metcalf, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Tate, Davis (Lowndes), Yarbrough (Autauga) and Boutwell (with substitute):

S. 241. To amend Sections 36, 39, 40, 41, 54, 59, 71, 115, 117, 119, 140, 161, 162, 172, 188, 191, and 198 and to repeal Sections 47, 48, 158, 159, 184, 185, 190, and 201, of Title 35, Code of Alabama 1940, as amended, all of which relate to military and naval affairs of the State of Alabama.

Mr. Metcalf, Chairman of the Standing Committee on Military, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Metcalf:

S. 234. Relating to the composition of the militia of the State.

By Mr. Metcalf:

S. 233. To provide for the organization by the officers of the organized militia of a state association of such officers and to prescribe the powers and duties of such association.

Mr. Davis (Lowndes), Chairman of the Standing Committee on Fish and Game, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. McClendon and Hunt:

H. 32. To authorize the Director of Conservation to enter into agreements of reciprocity with Conservation Commissioners and other proper officials of adjoining states concerning the catching or taking of fish. To provide a license tax for non-resident fishermen or citizens of adjoining states which have a reciprocal agreement with Alabama.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Lackey, Edwards (Jefferson), Kaul, Perry, Gregory, Nice, Vacca, McKay, Lee (Barbour), Gist, Boyd, Kendall, Hall, Thomas, Cornett, Goodwyn, Richardson, Merrill, Albea, Harrison, Locke (Choctaw), Nolen, Brewer, Gilchrist, Wood, Mathison, Hardy, Hain, Hunt, Grouby, Callahan, Hanby, Hawkins, Johnson (Tallapoosa), Solomon, Tyson, Hare, deGraffenried, Brannan, Brooks, Kirkham, Nettles, Bradford, Crook, McLendon, Stembridge, Huddleston, Ward, Oden, Haltom, Lee (Lawrence), Ramey, Pruitt, McClendon, Summerlin, Dement, Martin, Windle, McNider, Ashworth, Kelly, Dickson, Taylor, Killough, Bassett, Oakley, Franklin, Locke (Perry), Simon, Payne, Burkhalter, Mathews, Brassell, Pirkle, Edwards (Escambia), Davis, Ferrell, Harvey, Roberts, Reynolds, Money, Faulk, Brown (Lee), Hodges, Johnson (Elmore), Holliman, Speaks and Selman:

H. 79. To provide for a long range survey of the State's educational system, creating the Alabama Education Commission and making an appropriation.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 79—To the Committee on Finance and Taxation

RESOLUTIONS

Mr. Davis (Pickens) offered the following Senate Joint Resolution, to-wit:

S. J. R. 45. WHEREAS, the right of jury trial is subject to serious limitations in the district courts of the United States because the judges of such courts under present law may withdraw a case from the consideration of the jury upon a substantial evidence standard rather than upon the scintilla evidence standard of the common law and because the judges of such courts are free to comment to the jury upon the evidence in any case coming before them,

NOW THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Congress of the United States is hereby memorialized to enact legislation to prohibit the judges of the district courts of the United States from commenting on the evidence in cases coming before them and to enact legislation allowing the federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law.

The Secretary of the Senate is directed to transmit a copy of this resolution to the presiding officer of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

On motion of Mr. Davis (Pickens), the Rules were suspended and the Resolution adopted by the Senate.

Mr. Davis (Pickens) offered the following Senate Joint Resolution, to-wit:

S. J. R. 46. WHEREAS, the appointment of federal judges for life has resulted in a federal judiciary subject to no check or limitation upon its own power, save that of auto-limitation, yet which, in the process of deciding cases and controversies, constantly checks and limits the power and authority of the various State Government, and the power and authority of the executive and legislative branches of the Federal Government, and

WHEREAS, both the President of the United States and the Congress thereof are subject to definite restrictions under the Constitution of the United States which insure checks and balances in the exercise of executive and legislative power, and both the President and the members of Congress are elected by the people for definite terms in office, thus insuring the principle of representative government, and

WHEREAS, the lack of similar limitations upon the power of the federal judiciary encourages unbridled government by judiciary contrary to the basic democratic principles of representative Government and a system of checks and balances, as witness the decisions of the Supreme Court of the United States in recent years,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

(1) The Alabama Legislature requests the Congress of the United States to propose an amendment to the Constitution of the United States, as hereafter set out, requiring the election of all federal judges and the limitation of the term in office.

(2) The proposed amendment to the Constitution of the United States should read as follows:

The judges, both of the supreme and inferior courts of the United States, shall hold office, during good behavior, for a definite term or terms not to exceed eight years for any one term, and shall be elected by the people, in such manner as the Congress may by law prescribe. The judges shall, at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

(3) In the alternative the Congress of the United States is hereby petitioned and memorialized to make a complete study and investigation of the method of selecting and the tenure of Federal judges, and to give full consideration to the question of submitting to the States for their

approval amendments to Section 2, Article II, and Section 1, Article III of the Constitution of the United States, which would alter the method of selecting Federal judges and fix for such judges a definite term of office.

(4) Certified copies of this resolution shall be forwarded by the Secretary of State to the presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to each member of the Alabama delegation in Congress.

On motion of Mr. Davis (Pickens) the Rules were suspended, and the Resolution adopted by the Senate.

Mr. Davis (Pickens) offered the following Senate Joint Resolution, to-wit:

S. J. R. 47. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That the Legislature of Alabama hereby petitions and memorializes the Congress of the United States to call a convention, pursuant to Article V of the Constitution of the United States, for the purpose of proposing amendments to Section 2, Article II, and Section 1, Article III, of the United States Constitution, which would alter the method of selecting federal judges and fix for such judges a definite term of office.

2. That the legislature of each of our sister states is urged to give the most serious consideration to the problems arising from the present method of selecting and tenure of office of federal judges, and to petition the Congress of the United States to call a convention for the purpose of proposing amendments to Section 2, Article II, and Section I, Article III, of the Constitution of the United States, so as to alter the present method of selecting federal judges and to fix for such judges a definite term of office.

3. That the Secretary of the Senate transmit duly authenticated copies of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Alabama delegation in Congress, and to the executive authority of each of our sister states for transmittal to its legislature.

On motion of Mr. Davis (Pickens), the Rules were suspended and the Resolution adopted by the Senate.

Messrs. Goodwin, James, Boutwell, Engelhardt, Cooper, Davis (Lowndes) Vann, Yarbrough (Autauga) Shelton, Lamberth, Yarbrough (Randolph) Flowers, Skidmore, Jones, Davis (Pickens), Tate, Givhan, Robison, Hall, Calvin, Cantrell, Allen, Little, Dyar, Eddins, Grisham, Roberts, Moses, Reeves, Metcalf, Smith, Leonard, and Newton offered the following Senate Joint Resolution, to-wit:

S. J. R. 48. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the individual members of the Legislature do hereby extend their sincere thanks to Dr. D. G. Gill, State Health Officer, and the various state tuberculosis organizations, for placing the mobile chest X-ray unit in the Capitol rotunda and taking chest X-rays of all the members of the Legislature; and

Resolved further, That the Secretary of the Senate be directed to send a copy of this resolution to Dr. Gill.

On motion of Mr. Goodwin, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Metcalf offered the following Senate Joint Resolution, to-wit:

S. J. R. 49. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the State Highway Department is hereby authorized and directed to designate and name the bridge across the Little Choctawhatchee on State Highway No. 123 between U. S. Highway No. 84 and U. S. Highway No. 231, "The William Grady Stembridge Bridge," in honor of the late William Grady Stembridge, pioneer leader, educator, farmer, merchant; and

Resolved further, that said Highway Department shall cause to be erected at or affixed to the aforesaid bridge appropriate markers or plaques showing the name thereof as herein provided.

On motion of Mr. Metcalf, the Rules were suspended and the Resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to H. J. R. 36, the Speaker of the House has named as a Committee on the part of the House Messrs. Kendall, Thomas, Pruitt, Kaul, Branyon, McKay and Dawkins.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 436. Relating to Walker County: providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 44. Relative to naming Senate Bill 16.

Also:

S. J. R. 43. Relative to inviting Governor Coleman to address a joint session of the two Houses of the Legislature of Alabama.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor relative to The Adjutant General of the State of Alabama.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JUNE 28, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, JAMES F. BERRY, Cullman, Alabama, as The Adjutant General of the State of Alabama, with the rank of Brigadier General, Alabama Air National Guard.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the appointment of James F. Berry, Cullman, Alabama, as The Adjutant General of the State of Alabama, with the rank of Brigadier General, Alabama Air National Guard, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor, returning Senate Bill No. 243, without his approval.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JUNE 28, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 243, without my approval.

This bill is being returned at the request of the author of the bill since an identical bill (House Bill No. 391) has already been approved by me.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Flowers, the Senate sustained the Governor's veto to the bill, S. B. 243, which said veto is set out in the foregoing Message from His Excellency, The Governor.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Givhan	Moses	Smith
Boutwell	Hall	Newton	Tate
Cantrell	James	Reeves	Van Antwerp
Cooper	Jones	Roberts	Vann
Davis (Lowndes)	Lamberth	Robison	Yarbrough (Autauga)
Eddins	Leonard	Shelton	Yarbrough (Randolph)
Engelhardt	Little		—29

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Brown (Lamar) and Branyon:

H. J. R. No. 46. Be it resolved by the House, the Senate Concurring that when the two houses adjourn today they adjourn to meet again on Tuesday, July 2, 1957 and when they adjourn on Tuesday, July 2, they adjourn to meet again on Tuesday July 9, 1957. Provided however that the Legislature adjourns without pay for the period July 3 to July 9, 1957.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Senate non-concurred in the Resolution, H. J. R. 46, set out in the foregoing Message from the House, and requested a Committee on Conference.

The President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. Lamberth, Boutwell, and Robison.

MOTION TO RECESS ADOPTED

At 11:52 A. M., on motion of Mr. Boutwell, the Senate took a recess for fifteen minutes.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—34

MESSAGE FROM THE HOUSE

Mr. President:

Pursuant to S. J. R. 43 the Speaker of the House has appointed as Committee on the part of the House Mr. Haltom.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House accedes to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on H. J. R. 46.

And the Speaker of the House appointed as Conferees on the part of the House Messrs. Nettles, Martin and Hawkins.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Solomon and Mathison:

H. J. R. 49. BE IT RESOLVED by the House of Representatives, the Senate concurring, that

WHEREAS, Eugene E. Haynes, a resident of Henry County, Alabama, departed this life on November 15, 1956; and

WHEREAS, Mr. Haynes has served the State of Alabama in a devoted and capable manner for a number of years in his capacity as a field supervisor for the Department of Examiners of Public Accounts, the position held by him at the time of his death; and

WHEREAS, his friends, associates, and particularly the public officials of the State and counties whom he served so faithfully will sorely miss the advice, counsel and guidance furnished them by Mr. Haynes; and

WHEREAS, the State of Alabama has lost one of its most faithful conscientious, devoted and capable employees;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama that the Legislature mourns the death of Mr. Haynes and extends to the members of his family its sincere sympathy.

BE IT FURTHER RESOLVED that this resolution be spread upon the Journals of both Houses of the Legislature and that a copy thereof be sent to his surviving widow, Mrs. Ruth S. Haynes, Headland, Alabama.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Flowers, the Rules were suspended and the Resolution, H. J. R. 49, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Adams (Tallapoosa) and Johnson:

H. J. R. 51. BE IT RESOLVED by the House of Representatives, the Senate concurring, that

WHEREAS, James T. Leach, a resident of Tallapoosa County, Alabama, departed this life on June 17, 1957; and

WHEREAS, Mr. Leach has served the State of Alabama in a devoted and capable manner for a number of years in his capacity as a field supervisor for the Department of Examiners of Public Accounts, the position held by him at the time of his death; and

WHEREAS, his friends, associates, and particularly the public officials of the State and counties whom he served so faithfully will sorely miss the advice, counsel and guidance furnished them by Mr. Leach; and

WHEREAS, the State of Alabama has lost one of its most faithful, conscientious, devoted and capable employees;

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama that the Legislature mourns the death of Mr. Leach and extends to the members of his family its sincere sympathy;

BE IT FURTHER RESOLVED that this resolution be spread upon the Journals of both Houses of the Legislature and that a copy thereof be sent to his surviving widow, Mrs. Mary Leach, Dadeville, Alabama.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Resolution, H. J. R. 51 set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

REPORT FROM RULES

Mr. Leonard, chairman of the Standing Committee on Rules, reported that said committee, in session, had acted on the following House Joint Resolution, and ordered the same returned to the Senate with a favorable report, to-wit:

H. J. R. 8. Memorializing Congress to enact legislation providing for payment to each state of one percent of Federal Income Tax payments,

collected by District Director of Internal Revenue of each state, for educational purposes.

And said resolution was adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Harrison and Perry:

H. J. R. 50. Whereas Dr. F. Edward Lund is an outstanding educator and has made a highly significant contribution to the cause of education in this State, both as dean at Florence State College, and, since 1952, as president of Alabama College, at Montevallo; and

Whereas Dr. Lund has recently announced that he will resign his position at Alabama College, to become president of Kenyon College, at Gambier, Ohio; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature regret the loss to higher education in Alabama of Dr. F. Edward Fund, president of Alabama College, at Montevallo; but wish Dr. Fund well in his new position, and hope that he may again return to our State.

Be it further resolved, that the Clerk of the House transmit a copy of this resolution to Dr. Lund, at Montevallo.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Senate concurred in and adopted the resolution, H. J. R. 50, set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. deGraffenried, Ashworth, Callahan, Speaks, Gist and Selman:

H. 246. Relating to elections; authorizing, directing and requiring the regular grand jury required by law to be empaneled in each county in the State to investigate and examine certain ballot boxes and voting machines used at each election for the purpose of comparing the number of ballots in the ballot boxes and the number of votes recorded on the counting mechanism of the voting machines, including irregular and challenged ballots, with the number of votes recorded on the statements of canvass and declaration or certificates of result which are required by law to be made by persons conducting an election; and regulating such investigation and examination.

Also:

By Mr. Dawkins:

H. 136. To amend Section 1 of Act No. 248, H. 87, approved August 16, 1955 (Acts of Alabama, 1955, Vol. 1, p. 586), which levies an addi-

tional privilege license tax upon any person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients, by exempting from the tax any rooms, lodgings, or accommodations supplied for a period of thirty or more continuous days.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 246—To the Committee on Privileges and Elections

H. 136—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 48. Relative to thanking Dr. D. G. Gill, State Health Officer, and others for the mobile chest X-ray unit.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hare:

H. J. R. 42. WHEREAS, the appointment of federal judges for life has resulted in a federal judiciary subject to no check or limitation upon its own power, save that of auto-limitation, yet which, in the process of deciding cases and controversies, constantly checks and limits the power and authority of the various State Governments, and the power and authority of the executive and legislative branches of the Federal Government, and

WHEREAS, both the President of the United States and the Congress thereof are subject to definite restrictions under the Constitution of the United States which insure checks and balances in the exercise of executive and legislative power, and both the President and the members of Congress are elected by the people for definite terms in office, thus insuring the principle of representative government, and

WHEREAS, the lack of similar limitations upon the power of the federal judiciary encourages unbridled government by judiciary contrary to the basic democratic principles of representative government and a system of checks and balances, as witness the decisions of the Supreme Court of the United States in recent years,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING:

(1) The Alabama Legislature requests the Congress of the United States to propose an amendment to the Constitution of the United States as hereafter set out, requiring the election of all federal judges and the limitation of the term in office.

(2) The proposed amendment to the Constitution of the United States should read as follows:

The judges, both of the supreme and inferior courts of the United States, shall hold office, during good behavior, for a definite term or terms not to exceed eight years for any one term, and shall be elected by the people, in such manner as the Congress may by law prescribe. The judges shall, at stated times receive for their services a compensation which shall not be diminished during their continuance in office.

(3) In the alternative the Congress of the United States is hereby petitioned and memorialized to make a complete study and investigation of the method of selecting and the tenure of Federal judges, and to give full consideration to the question of submitting to the States for their approval amendments to Section 2, Article II, and Section 1, Article III of the Constitution of the United States, which would alter the method of selecting Federal judges and fix for such judges a definite term of office.

(4) Certified copies of this resolution shall be forwarded by the Secretary of State to the presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States and to each member of the Alabama delegation in Congress.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Resolution, H. J. R. 42, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hare:

H. J. R. 43. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING:

1. That the Legislature of Alabama hereby petitions and memorializes the Congress of the United States to call a convention, pursuant to Article V of the Constitution of the United States, for the purpose of proposing amendments to Section 2, Article II, and Section 1, Article III, of the United States Constitution, which would alter the method of selecting federal judges and fix for such judges a definite term of office.

2. That the legislature of each of our sister states is urged to give the most serious consideration to the problems arising from the present method of selecting and tenure of office of federal judges, and to petition the Congress of the United States to call a convention for the purpose of proposing amendments to Section 2, Article II, and Section 1, Article III, of the Constitution of the United States, so as to alter the present method of selecting federal judges and to fix for such judges a definite term of office.

3. That the Clerk of the House transmit duly authenticated copies of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Alabama delegation in Congress, and to the executive authority of each of our sister states for transmittal to its legislature.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Resolution, H. J. R. 43, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hare:

H. J. R. 44. WHEREAS, the right of jury trial is subject to serious limitations in the district courts of the United States because the judges of such courts under present law may withdraw a case from the consideration of the jury upon a substantial evidence standard rather than upon the scintilla evidence standard of the common law and because the judges of such courts are free to comment to the jury upon the evidence in any case coming before them,

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, that the Congress of the United States is hereby memorialized to enact legislation to prohibit the judges of the district courts of the United States from commenting on the evidence in cases coming before them, and to enact legislation allowing the federal judges of the district courts of the United States to direct verdicts in jury cases only in accordance with the scintilla evidence rule of the common law.

The clerk of the House of Representatives is directed to transmit a copy of this resolution to the presiding officer of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Resolution, H. J. R. 44, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has non-concurred in the Report of the Committee on Conference, relative to the differences of the two Houses on H. J. R. 46, and has discharged said Conference Committee and requests another Committee on Conference.

The Speaker of the House appointed as Conferees on the part of the House Messrs. Edwards (Escambia), Holliman and Ferrell.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Senate acceded to the request of the House, to discharge the Committee on Conference, appointed to reconcile the differences of the two Houses on the Resolution, H. J. R. 46, and further acceded to the request for another Conference Committee.

The President and Presiding Officer of the Senate appointed as conferees on part of the Senate Messrs. Skidmore, Yarbrough (Randolph), and Flowers.

MOTION TO RECESS ADOPTED

At 1:10 P. M., on motion of Mr. Cooper, the Senate took a recess for ten minutes.

The Recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—34

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 436. Relating to Walker County: providing further for the government of the county; abolishing the Board of Revenue, and creating in lieu thereof the Board of Finance and Control; providing for the selection of the members of the Board of Finance and Control; and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the Board of Finance and Control, and for the powers and duties of its individual members; and repealing certain laws superseded by the provisions of this Act.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions, your signature thereto is requested.

H. J. R. 36. Relative to the appointment of a Coordinating Committee of the Legislature.

Also:

H. J. R. 39. Relative to expressing appreciation to the Southern Bell Telephone Company for the installation of additional telephone booths.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 437. To fix the compensation of the county superintendent of education of Washington County.

Also:

H. 438. To amend further an act approved November 4, 1950 entitled "An Act To create a Board of Revenue for Jackson County; providing its powers and duties and for the compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. I, p. 126).

Also:

H. 442. Relating to Tallapoosa County; providing for the compensation of the county superintendent of education; repealing Act No. 88, H. 217, approved June 15, 1953.

Also:

H. 521. To amend further Section 1 of the act approved May 25, 1945, which regulates the compensation of the superintendent of education of Henry County (Act No. 30, S. 99, Local Acts of 1945, p. 39).

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed

the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING

The Bill:

S. 73. To fix the compensation of members of the State Board of Pardons and Paroles.

Was taken up.

Mr. Cooper offered the following amendment to the Bill, to-wit:

Amend S. B. No. 73 by changing Section 1 to read as follows: "Section 1. The Compensation of each member of the State Board of Pardon and Paroles, including the Chairman thereof, shall be an annual salary of nine thousand dollars, to be paid in equal installments from the State Treasury in the same manner that salaries of other State officers are paid.

Which was adopted.

Yeas 26; Nays 5.

Yeas:

Messrs.:	Dyar	Hall	Reeves
Allen	Eddins	Lamberth	Roberts
Boutwell	Engelhardt	Leonard	Robison
Calvin	Flowers	Little	Smith
Cooper	Givhan	Metcalf	Tate
Davis (Lowndes)	Goodwin	Moses	Vann
Davis (Pickens)	Grisham	Newton	

—26

Nays:

Messrs.:	Shelton	Yarbrough (Autauga)	Yarbrough (Randolph)
James	Skidmore		

—5

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 4.

Yeas:

Messrs.:	Eddins	Lamberth	Roberts
Allen	Engelhardt	Leonard	Robison
Boutwell	Flowers	Little	Skidmore
Calvin	Givhan	Metcalf	Smith
Cooper	Goodwin	Moses	Tate
Davis (Lowndes)	Grisham	Newton	Vann
Dyar	Hall	Reeves	

—26

Nays:

Messrs.:	Shelton	Yarbrough (Autauga)	Yarbrough (Randolph)
James			

—4

The Bill:

H. 441. Relating to Dallas County: To regulate the compensation of the coroner and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Little	Smith
Cooper	Grisham	Metcalf	Tate
Davis (Lowndes)	Hall	Roberts	Van Antwerp
Davis (Pickens)	James	Shelton	Vann
Engelhardt	Lamberth	Skidmore	Yarbrough (Randolph)
Flowers	Leonard		—21

Nays: —0

The Bill:

H. 193. To authorize and require the State Board of Education to change the name of the normal schools or teachers colleges.

Was read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—34

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Perry, Fite, McKay, Lackey, and Nice:

H. 81. To regulate further the issuance of motor vehicle license tags or plates; to provide for the issuance of such tags or plates for two-year periods; to provide that such tags or plates shall be reflectorized; to make an additional appropriation to the department of revenue for such tags and plates for motor trucks and trailers for use during the fiscal year beginning October 1, 1957; and to repeal conflicting laws."

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 81—To the Committee on Finance and Taxation

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate

Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 43. Extending an invitation to Governor Coleman of Mississippi to address a joint session of the Legislature of Alabama.

Also:

S. J. R. 44. Naming Senate Bill No. 16.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolutions:

S. J. R. 46. Relative to appointment of federal judges.

Also:

S. J. R. 47. Relative to calling a convention pursuant to Article V of the Constitution of the United States, and Article II, and Article III.

Also:

S. J. R. 45. Relative to enactment of legislation to prohibit the judges of the district courts of the United States from commenting on the evidence in cases coming before them.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 193. To authorize and require the State Board of Education to change the name of the normal schools or teachers colleges.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Lee (Lawrence):

H. 588. Making an appropriation from the treasury of Lawrence County for the relief of Silas Nix to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Making an appropriation from the treasury of Lawrence County for the relief of Silas Nix to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of one hundred seventy-five dollars (\$175.00) is hereby appropriated from the gasoline tax funds of Lawrence County, or from any other funds in the county treasury not otherwise appropriated to the use and benefit of Silas Nix, for the purpose of compensating the said Silas Nix for damages incurred as a result of a motor vehicle involving a county highway truck and a vehicle owned by said Silas Nix. Said accident occurred in Lawrence County under such circumstances that the county is morally and justly obligated to pay the damages, but the said Nix has no recourse at law to recover the same.

Section 2. The court of county commissioners, board of revenue or like governing body of Lawrence County is hereby authorized, directed and required to draw, or cause to be drawn, a warrant in favor of Silas Nix for the amount appropriated herein; and the custodian of county funds is hereby authorized, directed and required to pay the same upon due presentation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joe Calvin
W. J. Lee, Jr.

20-4.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein men-

tioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 13, 1957.

WANDA C. BOYLES,
Notary Public.

Also:

By Messrs. Kirkham and Holliman:

H. 591. Relating to Marengo County: To fix the compensation of the members of the County Board of Education of Marengo County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL BILL

STATE OF ALABAMA COUNTY OF MARENGO

Notice is hereby given of intention to introduce procure the enactment into law at the 1957 session of the Legislature of Alabama of a bill substantially as follows, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marengo County: To fix the compensation of the members of the County Board of Education of Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That each member of the County Board of Education of Marengo County, Alabama, shall receive from the public school funds of the county as compensation for his services as such board member the sum of Fifty Dollars (\$50.00) per month.

Section 2. That said sum shall be in lieu of all allowances for expenses.

Section 3. That this Act shall become effective as to each board member at the expiration of the present term of his incumbent predecessor.

Section 4. That all laws or parts of laws in conflict with this Act are hereby repealed.

5-16-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Democrat Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached

notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1957.

R. E. SUTTON.

Sworn to and subscribed before me June 10, 1957.

LAURA JEAN SCOTT,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 588 and 591—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Selman and Shumate:

H. 523. Proposing an amendment to the Constitution relating to the power of municipal corporations in Walker County, Alabama to levy or impose license taxes.

Also:

By Messrs. Crook and McLendon:

H. 560. Relating to Bullock County: To authorize and empower the county board of education of Bullock County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF BULLOCK

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bullock County: To authorize and empower the county board of education of Bullock County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Be it Enacted by the Legislature of Alabama:

Section 1. The board of education of Bullock County, Alabama, may remove or terminate the contract of employment of any teacher in the public school system of the county, whether such teacher be on continuing service status or on a probationary appointment, at any time such action is deemed necessary to promote the best interest of the schools under the board's jurisdiction. The action of the board of education in regard to any such discharge shall be final and conclusive and shall not be subject to review or modification by any officer or agency, the provisions of Chapter 13, Title 52, Code 1940, as amended, to the contrary notwithstanding; provided, however, that no teacher shall be summarily dismissed under this Act, but shall be given a reasonable notice of the proposed action by the board and provided an opportunity to be heard.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

5-30-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State this day personally appeared W. H. Garner, who being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1957.

WM. H. GARNER,

Sworn to and subscribed before me June 21, 1957.

RUBY M. GARNER,
Notary Public.

Also:

By Mr. Stokes:

H. 567. Relating to the municipality of Enterprise in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Enterprise, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL ADVERTISING

NOTICE

STATE OF ALABAMA
COUNTY OF COFFEE

Notice is hereby given that at the 1957 regular session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the municipality of Enterprise in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Enterprise, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Enterprise in Coffee County are hereby altered, rearranged, and extended so that all the territory herein described, lying and being in Coffee County, Alabama, will be embraced within the corporate limits of the municipality, to-wit: Commencing at a point two miles due west of the Boll Weevil Monument in the center of the intersection of Carmichael (or Main) and Henry (or College) streets in the City of Enterprise, thence due north a distance of two miles, thence due east a distance of four miles, thence due South a distance of four miles, thence due west a distance of four miles, and thence due north a distance of two miles to the starting point.

Section 2. All farm land annexed by this Act, the improvements thereon and the appurtenances thereunto appearing, shall be exempt from all ad valorem taxation by the municipality of Enterprise during the time such property is used for farming purposes.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Jackson W. Stokes,
Member House of Representatives.
9M4tc.

STATE OF ALABAMA
COFFEE COUNTY

Manuel Segall, of said state and county, being first duly sworn, on his oath says:

That he is the publisher of The Enterprise Ledger, a weekly newspaper of general circulation, printed and published in the City of Enterprise in said county and state, and has been such during the time hereinafter mentioned, and that the advertisement headed:

Notice is hereby given that at the 1957 regular session of the legislature of Alabama, a printed copy of which is hereto attached, was

printed and published in every copy of each issue of said newspaper for a period of 4 consecutive weeks, to-wit:

First Publication May 9, 1957

Second Publication May 16, 1957

Third Publication May 23, 1957

Fourth Publication May 30, 1957

MANUEL SEGALL,
Publisher.

Sworn to and subscribed before me this the 4th day of June, 1957.

HELEN D. ADAMS,
Notary Public.

My commission expires Feb. 2, 1959.

Also:

By Messrs. Hawkins and Hanby:

H. 572. Relating to Etowah County; to require employers of more than one hundred persons on an hourly wage basis to pay his employees their wages not later than on Friday of each week; prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Etowah County; to require employers of more than one hundred persons on an hourly wage basis to pay his employees their wages not later than on Friday of each week; prescribing penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever employs more than one hundred persons in Etowah County on an hourly wage basis shall pay to each of his employees on or before Friday of each week the wages earned by him to a day not more than six days prior to the date of such payment, if a majority of such employees so demand, unless a pay period for such employees is otherwise established by law.

Section 2. Whoever wilfully refuses to comply with this Act shall be guilty of a misdemeanor, and each day such refusal continues shall constitute a separate offense; upon conviction thereof, the offender shall be fined not less than one nor more than fifty dollars for each separate offense.

Section 3. The provisions of this Act shall become operative only if approved by a majority of the electors of Etowah County who vote in a referendum election to be held on the same day as the first county-wide election. The court of county commissioners, board of revenue or like governing body of Etowah County, by whatever name called or designated, shall order and provide for the holding of the

referendum on such date. On the ballots to be used at the referendum election the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1957 Regular Session of the Legislature, an act requiring employers to pay wages weekly under certain conditions, be adopted? Yes (), No ()." If a majority of the votes cast at the referendum election are "yes," the provisions of this Act shall become operative immediately. If the majority of the votes cast are "no," the Act shall have no further effect.

May 26, June 2, 9, 17.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ollie Wright, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Adv. Bookkeeper of The Gadsden Times, a newspaper of general circulation published in Etowah County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 26, June 2, 9, 17, all in the year 1957.

OLLIE WRIGHT.

Sworn to and subscribed before me June 17, 1957.

T. R. WILLIAMS,
Notary Public, Etowah County, Ala.

My commission expires May 21, 1961.

Also:

By Mr. Faulk:

H. 575. Relating to Geneva County; authorizing and requiring the court of county commissioners, board of revenue or like governing body of said county to provide clerk-hire allowances for certain county officers.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Geneva County; authorizing and requiring the court of county commissioners, board of revenue or like governing body of said county to provide clerk-hire allowances for certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Geneva County is hereby authorized and

required to provide for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County a clerk-hire allowance of \$2700.00 dollars for each year. The allowance shall be paid from the county treasury in equal monthly installments, on vouchers signed by the officer entitled to the allowance.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

33-4tc

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

I, Joel P. Smith, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.,* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of 4 consecutive weeks, commencing May 23, 1957, and ending June 13, 1957.

Witness my hand this 20 day of June, 1957.

JOEL P. SMITH.

Sworn to and subscribed before me this 20 day of June, 1957.

JOHN DRAUGHON,
Notary Public.

Also:

By Mr. Stembridge:

H. 576. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Houston County shall be entitled to receive the following salaries for the performance of their

duties, and such salary shall be in lieu of all other compensation heretofore provided or prescribed by law:

(a) For the probate judge—eight thousand four hundred dollars (\$8400.00) per annum;

(b) For the tax assessor—six thousand dollars (\$6000.00) per annum;

(c) For the tax collector—six thousand dollars (\$6000.00) per annum;

(d) For the circuit clerk—six thousand dollars (\$6000.00) per annum;

(e) For the judge of The Houston Law and Equity Court—six thousand dollars (\$6000.00) per annum;

(f) For the register of the circuit court—four thousand eight hundred dollars (\$4,800.00) per annum;

(g) For the sheriff—seven thousand five hundred dollars (\$7,500.00) per annum. The sheriff shall also be allowed his necessary expenses incurred in apprehending and returning prisoners from other states, to be paid on requisition filed with and approved by the court of county commissioners, or like governing body of the county, provided that such expenses shall not exceed one thousand dollars (\$1,000.00) per annum.

Section 2. The salaries of the officers enumerated in Section 1 of this Act shall be paid in equal monthly installments from the general fund of Houston County as the salaries of employees of the county are paid.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The compensation provided by this Act shall become effective as to each office named herein at the expiration of the term of the incumbent.

Authorized by:

Richmond M. Flowers

R. J. "Bob" Stembridge

May 14, 21, 28, June 4, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on May 14, 21, 28, and June 4, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me June 12, 1957.

JOHN D. HENDERSON,
Notary Public

Also:

By Messrs. Money and Gist:

H. 577. To amend Act No. 268, H. 776, approved August 23, 1955, entitled "An Act to designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given, as required by law, of the intention to apply at the 1957 session of the Legislature of Alabama for the adoption and enactment into law of the following local legislation or local act, to-wit:

AN ACT

To amend Act No. 268, H. 776, approved August 23, 1955, entitled "An Act to designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 268, H. 776, approved August 23, 1955, entitled "An Act to designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election," is hereby amended to read as follows:

Section 1. The places of the five Aldermen upon the City Council of the City of Scottsboro, Alabama, shall be designated by number from 1 to 5, inclusive.

Section 2. At the next general municipal election to be held in and for the City of Scottsboro, Alabama, on the third Monday in September, 1958, for the purpose of electing aldermen for places number 2 through 5, inclusive, there shall be elected an alderman for each such place, number 2 through 5, inclusive, whose terms of office shall be as follows:

Alderman for place number 2—Two years.

Aldermen for places number 3, through 5, inclusive—Four years each.

Section 3. At the general municipal election to be held in and for the City of Scottsboro, Alabama, on the third Monday in September, 1960, for the purpose of electing a Mayor and an alderman for place number 1 and an alderman for place number 2, each of these three official shall be elected for a four year term.

Section 4. Following such general municipal election in 1960, there shall be held in the City of Scottsboro, Alabama, each two years

thereafter, on the third Monday in September, a general municipal election for the purpose of filling the positions on the City governing body becoming vacant during the year of the election by expiration of the term of office, and the term of office of each such official so elected shall be for four years.

Section 5. At all of the elections provided for herein, the various places on the Council to be filled by such elections shall be designated by the proper number on the ballots used at such elections, and each candidate shall, at the time he files his statement of candidacy, designate in such statement the number of the place he seeks, and the same person shall not be a candidate for more than one position during one election.

Section 6. Except as otherwise provided herein all elections held under the terms of this act shall be held in accordance with the general municipal election laws of the State of Alabama pertaining to the mayor-council form of government, and the persons elected at such elections shall assume the duties of their respective offices on the first Monday in October following such election unless a tie vote necessitates a run off election, in which event the provisions of Title 37, Section 34 (16), Code of Alabama of 1940, as amended, shall control with reference to such run off election.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

430S4C

AFFIDAVIT OF NOTICE BY PUBLICATION

STATE OF ALABAMA
JACKSON COUNTY

Before me, the undersigned authority, in and for said County and State, personally appeared William A. Edwards, who, being by me first duly sworn, deposes and says that he is Associate Editor and Publisher of the Jackson County Sentinel, which is a newspaper published weekly at Scottsboro, Jackson County, Alabama, that said newspaper is and has continuously been for many years a newspaper of general circulation in Jackson County, Alabama, and that there was published in said Jackson County Sentinel once a week for four consecutive weeks in the issues of said newspaper of April 30, 1957, May 7, 1957, May 14, 1957, and May 21, 1957, the attached legal notice of the intention to apply for passage by the Alabama legislature of certain local legislation to amend Act No. 268, H. 776, approved August 23, 1955, and that during all of said times said Jackson County Sentinel was a newspaper published in Scottsboro, Jackson County, Alabama.

WILLIAM A. EDWARDS,
Associate Editor and Publisher,
the Jackson County Sentinel.

Subscribed and sworn to before me on this the 17 day of June, 1957.

JOSEPH A. LEE,
Notary Public.

Also:

By Messrs. Gist and Money:

H. 578. To amend Act No. 453, H. 844, approved September 9th, 1955, entitled "An Act Relating to Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifi-

cations, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or other like governing body of Jackson County to pay to the sheriff of the County an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws." (Acts of Alabama, 1955, p. 1039).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 453, H. 844, approved September 9th, 1955, entitled "An Act Relating to Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or other like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws." (Acts of Alabama, 1955, p. 1039).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 453, H. 844, approved September 9th, 1955, entitled "An Act Relating to Jackson County authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or other like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws." (Acts of Alabama, 1955, p. 1039) is amended to read as follows:

"Section 3. The court of county commissioners, board of revenue, or like governing body of Jackson County is hereby authorized to pay to the sheriff of the county a sum not to exceed one thousand eight hundred dollars (\$1,800.00) per annum, payable in equal monthly installments out of the general fund of the county, to defray the operational and maintenance cost of transportation incurred by the three deputies provided herein in the performance of their official duties."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

522A4C.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared William A. Edwards, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Associate Editor of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23rd, May 30th, June 6th, and June 13th, all in the year 1957.

WILLIAM A. EDWARDS.

Sworn to and subscribed before me June 17th, 1957.

JOHN B. TALLY,
Notary Public.

Also:

By Mr. Lee (Lawrence):

H. 585. Making an appropriation from the treasury of Lawrence County for the relief of W. A. Pullen to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Making an appropriation from the treasury of Lawrence County for the relief of W. A. Pullen to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of three hundred forty-one dollars and thirty-nine cents (\$341.39) is hereby appropriated from the gasoline tax funds of Lawrence County, or from any other funds in the county treasury not otherwise appropriated, to the use and benefit of W. A. Pullen, for the purpose of compensating the said W. A. Pullen for damages incurred as the result of a motor vehicle accident involving a county highway truck and a vehicle owned by W. A. Pullen. Said accident occurred in Lawrence County under such circumstances that the county is morally and justly obligated to pay the damages, but the said Pullen has no recourse at law to recover the same.

Section 2. The court of county commissioners, board of revenue or like governing body of Lawrence County is hereby authorized, directed and required to draw, or cause to be drawn, a warrant in favor of W. A. Pullen for the amount appropriated herein; and the custodian of county funds is hereby authorized directed and required to pay the same upon due presentation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joe Calvin
W. J. Lee, Jr.

20-4.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 13, 1957.

WANDA C. BOYLES,
Notary Public.

Also:

By Mr. Lee (Lawrence):

H. 586. Making an appropriation from the treasury of Lawrence County for the relief of J. B. Byars to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Making an appropriation from the treasury of Lawrence County for the relief of J. B. Byars to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of one hundred two dollars and seventy-one cents (\$102.71) is hereby appropriated from the gasoline tax funds of Lawrence County, or from any other funds in the county treasury not otherwise appropriated, to the use and benefit of J. B. Byars, for the purpose of compensating the said J. B. Byars of damages incurred as the result of a motor vehicle accident involving a county highway truck

and a vehicle accident involving a county highway truck and a vehicle owned by said J. B. Byars. Said accident occurred in Lawrence County under such circumstances that the county is morally and justly obligated to pay the damages, but the said Byars has no recourse at law to recover the same.

Section 2. The court of county commissioners, board of revenue or like governing body of Lawrence County is hereby authorized, directed and required to draw, or cause to be drawn, a warrant in favor of J. B. Byars for the amount appropriated herein; and the custodian of county funds is hereby authorized, directed and required to pay the same upon due presentation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joe Calvin
W. J. Lee, Jr.

20-4.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 13, 1957.

WANDA C. BOYLES,
Notary Public.

Also:

By Mr. Lee (Lawrence):

H. 587. Making an appropriation from the treasury of Lawrence County for the relief of W. L. Hill to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Making an appropriation from the treasury of Lawrence County for the relief of W. L. Hill to compensate him for damages incurred

under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of two hundred fifty-six dollars and fifty cents (\$256.50) is hereby appropriated from the gasoline tax funds of Lawrence County, or from any other funds in the county treasury not otherwise appropriated, to the use and benefit of W. L. Hill, for the purpose of compensating the said W. L. Hill for damages incurred as the result of a motor vehicle accident involving a county highway truck and a vehicle owned by said W. L. Hill. Said accident occurred in Lawrence County under such circumstances that the county is morally and justly obligated to pay the damages, but said Hill has no recourse at law to recover the same.

Section 2. The court of county commissioners, board of revenue or like governing body of Lawrence County is hereby authorized, directed and required to draw, or cause to be drawn, a warrant in favor of W. L. Hill for the amount appropriated herein; and the custodian of county funds is hereby authorized, directed and required to pay the same upon due presentation thereof.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joe Calvin
W. J. Lee, Jr.

20-4.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 13, 1957.

WANDA C. BOYLES,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 523, 560, 567, 572, 575, 576, 577, 578, 585, 586, and 587—to the Committee on Local Legislation

(The above numbered bill, H. B. 523, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 49. Relative to designating and naming the bridge across the Little Choctawhatchee on State Highway No. 123 between U. S. Highway No. 84 and U. S. Highway No. 231, "The William Grady Stembridge Bridge,"

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Goodwyn, Dawkins, Hall and Nolen:

H. 599. Providing for an Administrative Assistant in any county having a population of 113,500 and not more than 140,000 according to the federal census of 1940, fixing the qualifications, compensation and duties of such administrative assistant.

Also:

By Messrs. Gilchrist and Brewer:

H. 600. To implement the provisions of Amendment CVI of the Constitution of Alabama, relative to the authority of school districts in Morgan County to levy additional taxes for public school purposes; to authorize the court of county commissioners, board of revenue or like governing body of Morgan County to levy special taxes in and for any school district within the county when such levy is approved at a district election held for such purpose; to provide for the ordering and holding of such elections; and to provide for the assessment, collection and enforcement of such taxes, and for the use of the proceeds thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To implement the provisions of Amendment CVI of the Constitution of Alabama, relative to the authority of school districts in Morgan County to levy additional taxes for public school purposes; to authorize the court of county commissioners, board of revenue or like governing body of Morgan County to levy special taxes in and for any school district within the county when such levy is approved at a district

election held for such purpose; to provide for the ordering and holding of such elections; and to provide for the assessment, collection and enforcement of such taxes, and for the use of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the written request of the county board of education of Morgan County, or of the board of education of any city within Morgan County having a city board of education, for a special election in any school district under the control of the respective board, on the question whether all or any part of the special school taxes authorized by Amendment CVI of the Constitution shall be levied, the court of county commissioners, board of revenue or like governing body of Morgan County shall call an election at the time and for the school districts within the county as requested by the respective board of education and shall appoint three managers and one returning officer for each voting place in the school district, or at such special voting places as may be designated for the special election by the judge of probate of Morgan County, who shall locate such voting places upon the recommendation of the respective board of education, and such special voting places shall be set out in the notices of the special election. For the purposes of this Act, a school district shall include school districts which consist of incorporated cities or towns, or any school district of which an incorporated city or town is a part, or such other school districts now existing or hereafter formed as may be approved by the county board of education.

Section 2. The sheriff of Morgan County must give notice at least thirty days before any election to be held under this Act, by publication in some newspaper in the county, if any is published therein, and if not, by writing posted at the courthouse door, and at three other public places in the county of the time of holding; and when any election is to be held hereunder for a special tax for school purposes in any school district, written notices shall be posted at three public places within the district thirty days before the election. Such publications must show the rate of the proposed tax, the time it is proposed to be continued, the purpose for which the levy is proposed to be made, and a description of the boundaries of the school district concerned.

Section 3. The inspectors and the officers of the special election shall be appointed, and the election shall be held and the results thereof shall be declared in the same manner and by the same officers as are the results of regular elections for county offices, under the general election laws of the State; provided that the election may be held at the time for holding any regular election in the county, and if held at such times the inspectors and officers of the general election shall conduct at the same time the election herein provided for and for such services they shall receive no compensation other than that allowed them for the holding of the general election and if the election is held at some other time than that of holding the regular election in the county then the election officers shall receive the same pay as for holding the general election.

Section 4. The managers and returning officers provided for in Section 1 of this Act shall conduct and make return of such election in the school district, and in the event such election officers fail to appear at the polling place to which they are appointed, the officer or officers who do appear shall appoint someone to take their places. All election officers shall be residents of the school district, and qualified electors of the beat or precinct in which they reside. The sheriff shall notify all officers of their appointment by the court of county commissioners, board of revenue or other governing body of the county. On the day

of the election, the managers of such election shall open and close the polls at the time prescribed by law, and immediately upon closing the polls shall ascertain the results of the election at their respective voting place, and make returns thereof to the court of county commissioners, board of revenue or other governing body of the county and deliver the ballot box containing the returns, with the poll lists, tally sheets and other necessary papers, to the returning officers of such voting places, who shall deliver the same to the court of county commissioners, board of revenue or other governing body on or before noon of the second day after the election. The governing body of the county shall, within four days after the election, canvass the return so made, and under oath make a written report declaring the result of the election in the school district, showing the number of votes cast, both for and against the proposed taxation. A copy of such report shall be printed in some newspaper of general circulation in the county, and the original shall be filed in the office of the judge of probate. Except as otherwise provided herein, the election shall be held under the general laws of the State.

Section 5. The officers, including the sheriff, shall perform the same duties, and, except as otherwise provided herein, receive the same pay as provided for under the general election laws aforesaid, and all costs and fees of the election shall be paid out of the county treasury.

Section 6. When any election is to be held in any school district within Morgan County, under the provisions of this Act, the court of county commissioners, board of revenue or other governing body of the county shall provide the necessary ballots, poll lists, tally sheets, ballot boxes, booths, instructions for holding the election, and all other necessary and proper stationery for holding the election; and the sheriff shall see that the same are delivered to the managers before the day of the election.

Section 7. The ballots used in the election shall have printed at the top the purpose of the election, the rate of such proposed tax, the time such tax is proposed to be continued, and the purposes thereof, and directly underneath such statement at the top of the ballot in plain type shall be printed on different lines the words, "For proposed taxation," "Against proposed taxation." A blank must be left directly to the left of each line so that the voter may indicate his choice by a crossmark directly to the left and in front of the line expressing his choice.

Section 8. The court of county commissioners, board of revenue or like governing body of Morgan County shall declare the results of elections held hereunder, and if a majority of the electors voting at such election have voted in favor of the tax, the governing body of the county shall levy the special tax for public school purposes, and cause the tax assessor to assess the same on the taxable property located in the district, which tax shall be an additional tax, but must not exceed fifty-five cents on each one hundred dollars' worth of taxable property in the district. It is provided, however, that the rate of such special tax shall not increase the total rate of special county and school district taxes levied in the district for public school purposes to more than one dollar and twenty-five cents on each one hundred dollars worth of taxable property in the district, except that in determining whether the rate of one dollar and twenty-five cents on each one hundred dollars' worth of taxable property will be exceeded, there shall be excluded from such calculation taxes levied and collected under the authority of any amendment to the Constitution of Alabama wherein it is stated that the adoption thereof will not affect any power, right, or authority to levy special school taxes.

Section 9. Whenever such a levy as is provided for in this Act is made, the tax collector of Morgan County shall collect such tax in the same manner and under the same requirements and laws as the taxes of the State are collected, and he shall keep such amount separate and apart from all other funds, and keep a clear and distinct account thereof, showing what amount is paid, and to remit such amount to the custodian of the school funds of the system of which the district levying the tax is a part, to be expended on the authority of the city or county board of education having jurisdiction over the district for the exclusive benefit of the public schools of such district. Whenever the specific purposes for which the taxes authorized by this Act, when levied, shall be used are printed on the ballots used in any election on the question whether such taxes shall be levied, it shall be unlawful for the board of education having jurisdiction over such district taxes to expend them for any other purpose.

Section 10. Only persons who at the time of any district election held under this Act are qualified electors of the district and reside in such district shall be entitled to participate therein.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Bob Gilchrist, Representative Morgan County
 Albert Brewer, Representative Morgan County
 Joe Calvin, Senator Morgan and Lawrence Counties.

May 13-20-27—June 3.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 13, May 20, May 27, and June 3, all in the year 1957.

B. C. SHELTON,

Sworn to and subscribed before me June 3rd, 1957.

R. H. JERVIS,
 Notary Public.

My commission expires Oct. 21, 1957.

Also:

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa):
 H. 607. To provide further for establishing a national military park at Horseshoe Bend in Tallapoosa County; authorizing the governing

body of said county to take certain actions regarding the acquisition and use of land deemed necessary or desirable to be preserved as a part of said park.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for establishing a national military park at Horseshoe Bend in Tallapoosa County; authorizing the governing body of said county to take certain actions regarding the acquisition and use of land deemed necessary or desirable to be preserved as a part of said park.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners, Board of Revenue, or like governing body of Tallapoosa County, in addition to other powers, shall have the right, power and authority to acquire in the name of the county, by purchase, lease, agreement, license, condemnation or otherwise, the fee simple interest in land for the purpose of originating and developing, preserving, improving, protecting or maintaining a national military park to be established at Horseshoe Bend in Tallapoosa County; and to accept, in its discretion, in fee or otherwise, lands donated, entrusted, conveyed or devised for like purposes; and it shall have the right, power and authority to transfer and convey any part or all of such lands free and clear of all encumbrances to the United States to be used for such purposes without regard to the manner in which acquired; and it may contract and make cooperative agreements with the Federal Government and its agencies, with municipalities, corporations, associations, or individuals, for the purpose of acquiring, planning, establishing, developing, utilizing, operating, protecting or maintaining such a park.

Section 2. If condemnation proceedings are necessary in order to acquire lands for the purposes stated in Section 1 of this Act, such proceedings shall be conducted in the manner provided by Title 19 of the Code of Alabama (1940), and the fee simple title to such land may be condemned if necessary to effectuate the purpose of this Act.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 21, May 28, June 4, and June 11, all in the year 1957.

J. C. HENDERSON.

Sworn to and subscribed before me June 11, 1957.

T. C. WOLSONCROFT,
Notary Public.

My commission expires June 14, 1959

Also:

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa):

H. 608. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in the several school districts in Tallapoosa County.

Also:

By Mr. Harrison:

H. 612. Relating to counties having a population of not less than 29,500 nor more than 30,500, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

By Mr. Kelly:

H. 621. To authorize, direct and require the State Department of Revenue to collect any sales and use taxes which may be levied in the City of Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of the City of Haleyville; to prescribe the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WINSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize, direct, and require the State Department of Revenue to collect any sales and use taxes which may be levied in the City of

Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of the City of Haleyville; to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Department of Revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in the City of Haleyville, in Winston County, Alabama, under the provisions of any municipal ordinance or resolution duly promulgated and adopted by the governing body of the City of Haleyville. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, and all reports now required to be made to the Commissioner of Revenue shall, on request of the Department of Revenue, be available for inspection by the governing body of the City of Haleyville, or its designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all the authority and duties in connection with such taxes as are now given by law to the Department of Revenue or the Commissioner of Revenue in connection with the collection of the State's sales and use taxes provided for by Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), as amended. It shall be the duty of the commissioner of Revenue to pay into the state treasury all such taxes collected for the City of Haleyville under this Act; and on or before the first day of the following month, the Commissioner shall certify to the Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of the City of Haleyville during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue his warrant on the State Treasurer, payable as follows, for the amount so certified by the Commissioner of Revenue as having been collected for the use of the City of Haleyville and paid into the state treasury; and the amount so certified by the Commissioner of Revenue as having been collected for the use of such city shall be paid to the treasurer or other custodian of funds of the City of Haleyville. The Department of Revenue shall charge the City of Haleyville for collecting such municipal sales and use taxes a percentage of said taxes to be computed on the same basis as the total cost of collecting the state sales and use taxes bears to the total of said state sales and use taxes collected for each fiscal year ending September 30th. Such charge for collecting such municipal sales and use taxes shall be deducted once each year from the taxes collected in the month of September of each year before certifying the amount of such taxes due to the City of Haleyville for said month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of this Act, including any litigation involving this Act; and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the City of Haleyville under the provisions of this Act.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first day of the first month next following the date of its enactment.

HST—5-15-22-29-6-5.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Advertiser, a newspaper of general circulation published in Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1957.

JAY THORNTON.

Sworn to and subscribed before me June 10, 1957.

R. J. THORNTON,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 599, 600, 607, 608, 612, and 621—to the Committee on Local Legislation

(The above numbered bill, H. B. 608, was read at length as required by the Constitution.)

BILLS ON THIRD READING RESUMED

The Bill:

S. 321. To amend an Act, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners," approved October 19th, 1932, as amended by Act No. 295, Acts of The Regular Session of 1943, approved June 28, 1943.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Moses	Smith
Boutwell	Flowers	Newton	Tate
Calvin	Grisham	Reeves	Yarbrough (Autauga)
Cantrell	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones		—21

Nays: —0

The Bill:

H. 538. To amend Section 7 of the Act of the Legislature of Alabama, approved June 28th, 1943, by the Governor, by which the Municipal Utilities Board of Albertville, Alabama, was created, being Act Number 287 of the regular session of the Legislature of Alabama of 1943.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	James	Roberts
Boutwell	Eddins	Jones	Robison
Cantrell	Flowers	Little	Shelton
Cooper	Givhan	Moses	Smith
Davis (Lowndes)	Grisham	Reeves	Tate
Davis (Pickens)	Hall		—21

Nays: —0

The Bill:

H. 183. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Winston County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Jones	Shelton
Allen	Flowers	Lamberth	Smith
Boutwell	Givhan	Moses	Tate
Cantrell	Grisham	Newton	Yarbrough (Autauga)
Dyar	Hall	Roberts	Yarbrough (Randolph)
Eddins	James		—21

Nays: —0

The Bill:

H. 364. To amend further Act No. 691, S. 284, approved September 5, 1951 entitled "An Act To fix the compensation of court reporters, and providing for the payment thereof."

Was read a third time at length and passed

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Little	Tate
Allen	Engelhardt	Moses	Van Antwerp
Boutwell	Flowers	Roberts	Vann
Calvin	Hall	Robison	Yarbrough (Autauga)
Cantrell	Jones	Smith	Yarbrough (Randolph)
Cooper	Lamberth		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Haltom, Mathison, Davis, Franklin, Faulk, Kendall, Perry, Steagall, Hain, Thomas, Simon and McKay:

H. 271. An act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a Peace Officer, Merchant, or Merchant's Employee, shall not render Merchant, Merchant's Employee, or Peace Officer criminally or civilly liable for false arrest, false imprisonment or unlawful detention; providing for arrest without a warrant by a Peace Officer upon probable cause, and exempting merchants or their employees from civil or criminal liability where probable cause exists to believe a person committed larceny of goods held for sale.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 271—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 39. Relative to adjournment of the two Houses to meet again on July 9, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with the date and hour of delivery, to-wit:

S. J. R. 19 Delivered to the Governor, June 7, 1957 at 11:15 A. M.
S. J. R. 20 Delivered to the Governor, June 7, 1957 at 11:15 A. M.
S. J. R. 24 Delivered to the Governor, June 7, 1957 at 11:15 A. M.
S. B. 106 Delivered to the Governor, June 7, 1957 at 11:15 A. M.
S. B. 156 Delivered to the Governor, June 7, 1957 at 11:15 A. M.
S. B. 52 Delivered to the Governor, June 14, 1957 at 11:55 A. M.
S. B. 53 Delivered to the Governor, June 14, 1957 at 11:55 A. M.
S. J. R. 30 Delivered to the Governor, June 18, 1957 at 2:15 P. M.
S. J. R. 15 Delivered to the Governor, June 21, 1957 at 10:35 A. M.
S. J. R. 32 Delivered to the Governor, June 21, 1957 at 10:35 A. M.
S. B. 195 Delivered to the Governor, June 25, 1957 at 12:45 P. M.
S. B. 243 Delivered to the Governor, June 25, 1957 at 12:45 P. M.
S. B. 291 Delivered to the Governor, June 25, 1957 at 12:45 P. M.
S. B. 284 Delivered to the Secretary of State, June 25, 1957 at 1:10 P. M.
S. B. 161 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. B. 58 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. B. 75 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. B. 140 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. J. R. 34 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. J. R. 35 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. J. R. 36 Delivered to the Governor, June 28, 1957 at 11:20 A. M.
S. J. R. 41 Delivered to the Governor, June 28, 1957 at 11:20 A. M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Seventeenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Seventeenth Legislative Day approved by the Senate.

ADJOURNMENT

At 2:10 P. M., on motion of Mr. Cooper, and in accordance with Joint Resolution heretofore adopted, the Senate adjourned until July 9, 1957, at 12 o'clock Noon.

EIGHTEENTH LEGISLATIVE DAY

Tuesday, July 9, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend F. S. Persons, III, Assistant Rector, Church of the Ascension, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Jones, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled to-wit:

S. J. R. 39. Providing for recess, without pay and with certain exceptions, of the Legislature from June 28 to July 9, 1957.

Also:

S. J. R. 45. Memorializing Congress to enact legislation to prohibit judges of the U. S. District Courts from commenting on evidence in cases at hand, and to enact legislation allowing judges of the district courts of the U. S. to direct verdicts in jury cases only in accordance with the scintilla evidence rule of common law.

Also:

S. J. R. 46. Memorializing the Congress of the U. S. to propose an amendment to the Constitution, requiring the election of all federal judges and limiting terms of office.

Also:

S. J. R. 47. Memorializing Congress to call a convention for the purpose of altering the method of selecting federal judges and fixing the terms of office.

Also:

S. J. R. 48. Extending thanks to Dr. Gill, State Health Officer, and to the various State T. B. organizations for the use of the mobile chest X-ray unit.

Also:

S. J. R. 49. Naming and marking "The William Grady Stembridge Bridge" on State Highway No. 123.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTIONS

Messrs. Jones, Goodwin, Engelhardt, Boutwell, Robison, Leonard, Lamberth, Skidmore, Roberts, Givhan, Bradford, and Newton offered the following Senate Joint Resolution, to-wit:

S. J. R. 50. Whereas The Honorable William Walter Garrett, former member of the Legislature and prominent banker and business man of Uriah, Monroe County, passed away at his home on Saturday, July 6, 1957; and

Whereas The Honorable William W. Garrett served for sixteen years in the Legislature of Alabama, being a member of the House during the Dixon, Folsom, and Persons administrations, and a member of the Senate during the Sparks administration; and

Whereas The Honorable William W. Garrett was especially interested in the field of agriculture and contributed greatly to the advancement of agriculture in this State through his long service as chairman of the House Committee on Agriculture, his sponsorship of the legislation providing for the erection of livestock coliseums throughout the State, and his service as chairman of the Agricultural Center Board; and

Whereas the members of the Legislature wish to honor the memory of this outstanding citizen of Alabama; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature do hereby express their deep regret at the passing of The Honorable William W. Garrett, and do extend their most sincere sympathy to the surviving members of his family.

Be it resolved further, that a copy of this resolution be spread upon the journal of each House of the Legislature; that a copy hereof be forwarded by the Secretary of the Senate to the widow, Mrs. Margaret F. Garrett, at Uriah; and that a copy hereof be also forwarded by the Secretary of the Senate to The Monroe Journal, at Monroeville.

On motion of Mr. Jones, the Rules were suspended, and the Resolution unanimously adopted by the Senate.

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 51. BE IT RESOLVED by the Senate that the following shall be special, paramount and continuing orders of business until disposed of in the order arranged, upon the call of the Calendar today:

1. Local Bills and General Bills with local application.
2. Senate Bill No. 118 on page 37.
3. Senate Bill No. 119 on page 40.
4. Senate Bill No. 56 on page 42.

Which was adopted.

Mr. Davis (Lowndes) offered the following Senate Joint Resolution, to-wit:

S. J. R. 52. Whereas The Honorable Pugh Haynes was a former member of the Legislature, having served faithfully and well as a representative of Lowndes County in the House of Representatives during the period 1946-1954; and

Whereas The Honorable Pugh Haynes died in Montgomery, on Wednesday, July 3, 1957, after a brief illness; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature deeply mourn the passing of The Honorable Pugh Haynes, and extend their sincere sympathy to the surviving members of his family.

Be it further resolved that a copy of this resolution be spread upon the journal of the House of Representatives, and that the Clerk of the House transmit a copy hereof to the bereaved widow, Mrs. Ruth McQueen Haynes, at Sandy Ridge.

On motion of Mr. Davis (Lowndes), the Rules were suspended and the Resolution adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lamberth:

S. 365. To appropriate out of any funds in the State Treasury to the credit of the general fund, not otherwise appropriated, the sum of \$150,000 to the Department of Conservation to be used only for the purchase of lands to be made a part of the Horseshoe Bend National Military Park; and to provide for the lease, sale, swap, exchange, transfer, or otherwise dispose of such lands, including the right to convey same without consideration to the United States of America.

Committee on Finance and Taxation.

By Mr. Lamberth:

S. 366. To amend Section 3 of Act No. 474, S. 219, approved September 3, 1953, (General Acts of Alabama, 1953, Pages 589, 590 and 591), entitled "An Act to provide supernumerary circuit solicitors of the State of Alabama; to provide the conditions under which a circuit solicitor may become a supernumerary circuit solicitor; to prescribe the qualifications, duties, powers, authority, compensation, method of removal from office of such supernumerary circuit solicitors; to provide for filling vacancies created by a circuit solicitor becoming a supernumerary circuit solicitor; to provide for reimbursement to such supernumerary circuit solicitors

their reasonable expenses incurred for travelling on official business in counties other than that of their residence, and to appropriate funds for the payment of compensation and expenses of such supernumerary circuit solicitors."

Committee on Finance and Taxation.

By Mr. Vann:

S. 367. To provide for the establishment of standards for the subdivision of land outside the corporate boundaries and police jurisdiction of the incorporated municipalities by county or joint planning commissions; to provide for the establishment of land subdivision standards, the administration of review and approval and to provide for penalties for violations of this act.

Committee on Municipalities and Municipal Organizations.

By Mr. Vann:

S. 368. To empower counties to regulate, and control within portions of the county outside the corporate boundaries and police jurisdiction of incorporated municipalities, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, the location and use of buildings and structures, and the use, conditions of use, or occupancy of land for trade, industry, residence, recreation, water and flood damage prevention, or similar purposes and to establish adequate setback lines for buildings and structures along roads and streets; to prescribe certain duties and functions of county planning commissions; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, the procedure and appeals from their decisions; and to provide remedies in the enforcement of ordinances, resolutions and regulations made by such counties under authority of this act.

Committee on Municipalities and Municipal Organizations.

By Mr. Reeves:

S. 369. To provide for the payment out of county funds of compensation for special deputies summoned by the sheriff in any emergency.

Committee on Judiciary.

By Mr. Reeves:

S. 370. To amend further Section 14 of the act approved September 19, 1953 (Act No. 784, H. 316, 1953 Acts 1072), an act which regulates commercial fishing, so as to provide for the netting of suckers during the period between March 14 and April 16 of each year.

Committee on Fish and Game.

By Mr. Tate:

S. 371. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; providing for the division of such counties into districts; providing for the election of one member of the governing body of each such county from each of such districts; prescribing the powers and duties of the governing bodies of such counties, and the qualifications, terms of office, compensation, and manner of election of the members thereof; and excepting the judge of probate or other chairman of the governing body of each such county from the operation of the Act.

Committee on Local Legislation.

By Mr. Moses:

S. 372. To alter, re-arrange and extend the boundary lines and corporate limits of the Town of Fyffe, in DeKalb County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that at the present regular 1957 session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, re-arrange and extend the boundary lines and corporate limits of the Town of Fyffe, in DeKalb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Fyffe, in DeKalb County, Alabama, are hereby altered, re-arranged and extended so that all of the lands described herein will lie and be within the boundaries and corporate limits of such Town.

The Northeast Quarter of the Northwest Quarter; the Southwest Quarter of the Northeast Quarter of the Northeast Quarter; the Southwest Quarter of the Northwest Quarter; the Northwest Quarter of the Southwest Quarter; all in Section Nine (9), Township Seven (7) South, Range Seven (7) East. Also the Southeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter, Section Four (4), Township Seven (7) South, Range Seven (7) East. All the above described land lying and being in DeKalb County, Alabama.

Section 2. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-3-4—J

STATE OF ALABAMA COUNTY OF DEKALB

Before me, the undersigned authority in and for said County and State, personally appeared Bobby R. Day, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was the editor and publisher of The Fort Payne Journal, a weekly newspaper of general circulation, published in DeKalb County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks, without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, 1957.

BOBBY R. DAY.

Subscribed and sworn to before me, this 26th day of June, 1957.

C. M. T. SAWYER II,
Notary Public.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report,

and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 354. Authorizing the court of county commissioners, board of revenue or like governing body of each county having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to make an annual grant toward the support of any museum of fine arts which may be in existence in the county.

By Mr. Robison:

S. 355. To provide for the terms of office of the members of boards of equalization in all counties having a population of not less than 125,000 nor more than 250,000 persons according to the last Federal Census or any future census; to fix the compensation and expense accounts of such members and to repeal all laws in conflict herewith.

By Mr. Robison:

S. 358. To amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees.

By Mr. Robison:

S. 359. To fix the supplemental salary of the Deputy Circuit Solicitors of the Fifteenth Judicial Circuit of Alabama to provide that said supplemental salaries shall be paid out of the general fund of Montgomery County, Alabama, and to provide when said act shall go into effect.

By Mr. Van Antwerp:

S. 361. To amend the act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

By Messrs. Wood, Holliman, Kirkham and Bassett:

H. 548. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 14,000 nor more than 16,000, according to the last or any subsequent federal decennial census.

By Mr. Edwards (Escambia) (with notice and proof):

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the Town of Flomaton, in Escambia County, Alabama.

By Messrs. Goodwyn, Dawkins, Hall and Nolen:

H. 599. Providing for an Administrative Assistant in any county having a population of 113,500 and not more than 140,000 according to the federal census of 1940, fixing the qualifications, compensation and duties of such administrative assistant.

By Messrs. Crook and McLendon (with notice and proof):

H. 560. Relating to Bullock County: To authorize and empower the county board of education of Bullock County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

By Mr. Stokes (with notice and proof):

H. 567. Relating to the municipality of Enterprise in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Enterprise, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

By Messrs. Hawkins and Hanby (with notice and proof):

H. 572. Relating to Etowah County; to require employers of more than one hundred persons on an hourly wage basis to pay his employees their wages not later than on Friday of each week; prescribing penalties.

By Mr. Faulk (with notice and proof):

H. 575. Relating to Geneva County; authorizing and requiring the court of county commissioners, board of revenue or like governing body of said county to provide clerk-hire allowances for certain county officers.

By Mr. Stembridge (with notice and proof):

H. 576. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

By Messrs. Money and Gist (with notice and proof):

H. 577. To amend Act No. 268, H. 776, approved August 23, 1955, entitled "An Act to designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election."

By Messrs. Gist and Money (with notice and proof):

H. 578. To amend Act No. 453, H. 844, approved September 9th, 1955, entitled "An Act Relating to Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or other like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws." (Acts of Alabama, 1955, p. 1039).

By Mr. Lee (Lawrence) (with notice and proof):

H. 585. Making an appropriation from the treasury of Lawrence County for the relief of W. A. Pullen to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

By Mr. Lee (Lawrence) (with notice and proof):

H. 586. Making an appropriation from the treasury of Lawrence County for the relief of J. B. Byars to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

By Mr. Lee (Lawrence) (with notice and proof):

H. 587. Making an appropriation from the treasury of Lawrence County for the relief of W. L. Hill to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

By Mr. Lee (Lawrence) (with notice and proof):

H. 588. Making an appropriation from the treasury of Lawrence County for the relief of Silas Nix to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 600. To implement the provisions of Amendment CVI of the Constitution of Alabama, relative to the authority of school districts in Morgan County to levy additional taxes for public school purposes; to authorize the court of county commissioners, board of revenue or like governing body of Morgan County to levy special taxes in and for any school district within the county when such levy is approved at a district election held for such purpose; to provide for the ordering and holding of such elections; and to provide for the assessment, collection and enforcement of such taxes, and for the use of the proceeds thereof.

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa) (with notice and proof):

H. 607. To provide further for establishing a national military park at Horseshoe Bend in Tallapoosa County; authorizing the governing body of said county to take certain actions regarding the acquisition and use of land deemed necessary or desirable to be preserved as a part of said park.

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa):

H. 608. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in the several school districts in Tallapoosa County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Harrison:

H. 612. Relating to counties having a population of not less than 29,500 nor more than 30,500, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

By Mr. Kelly (with notice and proof):

H. 621. To authorize, direct and require the State Department of Revenue to collect any sales and use taxes which may be levied in the city of Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the Governing Body of the City of Haleyville; to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Bradford (with amendment):

S. 166. To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund", and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation.

BILLS ON THIRD READING

The Bill:

S. 78. To regulate further the office of circuit solicitor of the Ninth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in law enforcement and in the conduct of his office.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	James	Roberts
Allen	Eddins	Leonard	Shelton
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Vann
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Pickens)	Hall		—21

Nays:

—0

The Bill:

S. 305. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Skidmore
Allen	Flowers	Little	Smith
Boutwell	Givhan	Reeves	Van Antwerp
Calvin	Goodwin	Robison	Vann
Davis (Lowndes)	James	Shelton	Yarbrough (Autauga)
Dyar	Jones		—21

Nays:

—0

The Bill:

S. 312. To provide further for purging the lists of registered voters in Cullman County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; requiring the beat committeemen or other members of political parties organized in Cullman County to serve as clerks of the board of registrars in connection with the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cantrell	Eddins	Hall
Allen	Davis (Lowndes)	Engelhardt	James
Bradford	Davis (Pickens)	Grisham	Little

Metcalf	Skidmore	Van Antwerp	Yarbrough (Autauga)
Reeves	Smith	Vann	Yarbrough (Randolph)
Shelton	Tate		—21

Nays: —0

The Bill:

H. 326. To vacate certain Streets and portions of Streets and other Public Ways in part of the area in the City of Birmingham lying North of First Avenue North; East of 39th Street; South of the Central of Georgia Railroad right-of-way and West of the Southern Railroad right-of-way.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Newton	Tate
Boutwell	James	Roberts	Van Antwerp
Bradford	Jones	Robison	Vann
Cantrell	Leonard	Shelton	Yarbrough (Autauga)
Flowers	Little	Skidmore	Yarbrough (Randolph)
Grisham	Moses		—21

Nays: —0

The Bill:

H. 522. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Skidmore
Bradford	Flowers	Metcalf	Smith
Cantrell	Givhan	Moses	Tate
Davis (Lowndes)	Goodwin	Roberts	Van Antwerp
Davis (Pickens)	Grisham	Robison	Vann
Eddins	Lamberth		—21

Nays: —0

The Bill:

H. 525. Relating to St. Clair County; authorizing and directing the court of county commissioners of St. Clair County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Givhan	Newton	Skidmore
Cooper	Hall	Reeves	Tate
Davis (Lowndes)	James	Roberts	Van Antwerp
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays: —0

The Bill:

H. 526. Relating to St. Clair County: To fix the compensation of the coroner.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Robison
Allen	Givhan	Moses	Shelton
Boutwell	Hall	Newton	Skidmore
Bradford	James	Reeves	Vann
Cooper	Jones	Roberts	Yarbrough (Autauga)
Dyar	Leonard		—21

Nays: —0

The Bill:

H. 542. Relating to St. Clair County: To amend Act No. 439, H. 933, approved August 17, 1951, (Acts of Alabama 1951, page 790), which impose extra, new and additional duties on the Tax Assessor and Tax Collector.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Robison
Bradford	Goodwin	Metcalf	Van Antwerp
Calvin	Hall	Moses	Vann
Davis (Lowndes)	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones	Roberts	Yarbrough (Randolph)
Dyar	Leonard		—21

Nays: —0

The Bill:

H. 57. To propose an amendment to the Constitution of Alabama relative to the costs and charges of courts and the fees, commissions, percentages, allowances, and compensation of certain officers of Cullman County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Flowers	Metcalf	Smith
Boutwell	Goodwin	Moses	Tate
Cantrell	Hall	Newton	Van Antwerp
Cooper	James	Reeves	Vann
Dyar	Lamberth		

—21

Nays:

—0

The Bill:

H. 515. To regulate further the office of Circuit Solicitor of the Eleventh Judicial Circuit. Creating special funds for expenditure for the benefit of the Circuit Solicitor in law enforcement and in the conduct of his office.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Tate
Bradford	Goodwin	Reeves	Van Antwerp
Cooper	Grisham	Robison	Vann
Davis (Lowndes)	Hall	Shelton	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Skidmore	Yarbrough (Randolph)
Dyar	Little		

—21

Nays:

—0

The Bill:

S. 298. Relating to counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census; to provide for the appointment, duties, and compensation of a register of the juvenile court in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Bradford	Dyar	Leonard	Shelton
Calvin	Eddins	Little	Smith
Cantrell	Givhan	Moses	Van Antwerp
Cooper	Goodwin	Newton	Vann
Davis (Lowndes)	Hall		

—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, and House Joint Resolutions, your signature thereto is requested.

H. 441. Relating to Dallas County: To regulate the compensation of the coroner and to provide for the payment thereof.

Also:

H. J. R. 8. Relative to memorializing the Congress of the United States to enact legislation providing for the payment to each state of one per cent of the income tax payments collected from such states.

Also:

H. J. R. 49. Relative to the death of Eugene E. Haynes, and expressing sympathy to the surviving members of his family.

Also:

H. J. R. 50. Relative to the resignation of Dr. F. Edward Lund as president of Alabama College at Montevallo.

Also:

H. J. R. 51. Relative to the death of James T. Leach of Tallapoosa County and expressing sympathy to the surviving members of his family.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 183. Relating to the construction, maintenance and repair of the county roads and bridges of Winston County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Winston County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws.

Also:

H. 538. To amend Section 7 of the Act of the Legislature of Alabama, approved June 28th, 1943, by the Governor, by which the Municipal Utilities Board of Albertville, Alabama, was created, being Act Number 287 of the regular session of the Legislature of Alabama of 1943.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

RECESS

At 12:50 P. M. on motion of Mr. Davis (Pickens), the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

EIGHTEENTH LEGISLATIVE DAY

TUESDAY, JULY 9, 1957

The Senate re-assembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

BILLS ON THIRD READING

The Bill:

H. 443. Relating to all counties in the State having a population of not less than 18,400 nor more than 18,800 inhabitants, according to the last or any subsequent Federal decennial census; to authorize and direct the governing body of any such county to allow and pay to the sheriff an amount not in excess of one hundred dollars (\$100) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Reeves	Tate
Calvin	Goodwin	Roberts	Van Antwerp
Cooper	Grisham	Robison	Vann
Davis (Pickens)	Hall	Shelton	Yarbrough (Autauga)
Dyar	Little	Skidmore	Yarbrough (Randolph)
Flowers	Moses		

—21

Nays:

—0

The Bill:

S. 315. To amend further Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners."

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Reeves
Bradford	Goodwin	Little	Van Antwerp
Cantrell	Hall	Metcalf	Vann
Davis (Lowndes)	James	Moses	Yarbrough (Autauga)
Davis (Pickens)	Jones	Newton	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays:

—0

The Bill:

H. 524. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits having two Circuit Judges composed of one County having a population of not less than 94,000 people nor more than 135,000 people according to the last or any subsequent Federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Newton	Tate
Allen	Grisham	Robison	Van Antwerp
Bradford	Jones	Shelton	Vann
Calvin	Lamberth	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Little	Smith	Yarbrough (Randolph)
Engelhardt	Moses		—21

Nays:

—0

The Bill:

H. 557. Relating to counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; authorizing the payment of the salaries of certain employees of such counties on a semi-monthly basis.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Tate
Allen	Engelhardt	Moses	Van Antwerp
Boutwell	Grisham	Roberts	Vann
Bradford	Hall	Skidmore	Yarbrough (Autauga)
Calvin	Jones	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 50. Relating to expressing deep regret at the passing of The Honorable William W. Garrett, and extending sympathy to the surviving members of his family.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Smith, Engelhardt, Boutwell, Givhan, Skidmore, Van Antwerp and Davis (Lowndes):

S. 373. Providing for the relocation of utility facilities, when necessitated by Federal-aid highway projects, and the payment of the cost of such relocation by the State as a highway construction cost with reimbursement from Federal funds as provided in the Federal-Aid Highway Act of 1956; prescribing the powers and duties of the state highway director in regard thereto; and providing the method of reimbursing said utilities.

Committee on Public Roads and Highways.

By Messrs. Smith, Vann, Skidmore, Reeves, Robison, Grisham, Cantrell, Moses, Shelton, Davis (Pickens), Givhan, Flowers, Lamberth, Dyar, and Metcalf:

S. 374. To amend further Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama, 1951, p. 259), entitled "An Act to Provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

Committee on Finance and Taxation.

By Mr. Tate:

S. 375. To propose an amendment to the Constitution of Alabama relative to the abridgement of the terms of office of elected county or municipal officers by the abolition of the office or otherwise.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

REPORTS OF COMMITTEES

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Kirkham and Holliman (with notice and proof):

H. 591. Relating to Marengo County: To fix the compensation of the members of the County Board of Education of Marengo County, Alabama.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Roberts:

S. 342. To amend Section 20 of Title 34 of the Code of Alabama of 1940, as last amended, and to provide for a divorce in instances where there has been a divorce from bed and board or a decree of separate maintenance, for more than seven years.

By Messrs. Haltom et al:

H. 271. An act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a Peace Officer, Merchant, or Merchant's Employee, shall not render Merchant, Merchant's Employee, or Peace Officer criminally or civilly liable for false arrest, false imprisonment or unlawful detention; providing for arrest without a warrant by a Peace Officer upon probable cause, and exempting merchants or their employees from civil or criminal liability where probable cause exists to believe a person committed larceny of goods held for sale.

By Messrs. Ferrell, Burkhalter, Money and Gist:

H. 212. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 364. To amend further Act No. 691, S. 284, approved September 5, 1951 entitled "An Act To fix the compensation of court reporters, and providing for the payment thereof."

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 118. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Was read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Roberts
Boutwell	Engelhardt	Lamberth	Robison
Bradford	Flowers	Leonard	Shelton
Calvin	Givhan	Little	Skidmore
Cantrell	Goodwin	Metcalf	Tate
Cooper	Grisham	Moses	Vann
Davis (Lowndes)	Hall	Newton	Yarbrough (Autauga)
Davis (Pickens)	James	Reeves	Yarbrough (Randolph)
Dyar			—32

Nays:

—0

The Bill:

S. 330. To amend an act approved September 4, 1951, entitled "An Act Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities" (Act No. 671, H. 921, Acts of 1951, Vol. II, p. 1158).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Little	Smith
Allen	Eddins	Newton	Tate
Cantrell	Givhan	Reeves	Vann
Cooper	Goodwin	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Skidmore	Yarbrough (Randolph)
Davis (Pickens)	Leonard		—21

Nays:

—0

The Bill:

S. 331. To amend Section 3 of an act approved June 19, 1951, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 47,000 people nor more than 100,000 people, according to the preliminary count of April 1, 1950, of the 1950 Federal Census or any succeeding regular decennial Federal Census; providing for the name, number, and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city; and providing for their compensation for duties herein imposed; providing for the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general or special, in conflict with the provisions hereof" (Act No. 112, H. 380, Acts of 1951, p. 337).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bradford	Davis (Pickens)	Givhan
Allen	Calvin	Eddins	Hall
Boutwell	Cantrell	Flowers	James

Leonard
Little
Reeves

Roberts
Robison
Shelton

Smith
Tate

Vann
Yarbrough (*Autauga*)
—21

Nays:

—0

The Bill:

S. 119. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$10,000,000 and to incur indebtedness not exceeding in aggregate \$10,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$10,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and require others to charge in like manner for like services; and to provide an effective date of this Act.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the Bill, to-wit:

COMMITTEE AMENDMENT TO S. B. 119

Amend Section 2 thereof to read as follows:

"Section 2. The entire cost to the State of engaging in the work or development authorized by this Act shall not exceed in aggregate the sum of \$3,000,000."

Mr. Flowers offered the following substitute for the bill and pending committee amendment, to-wit:

SUBSTITUTE FOR S. 119

A BILL
TO BE ENTITLED
AN ACT

To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$3,000,000 and to incur indebtedness not exceeding in aggregate \$3,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements, to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$3,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and to provide an effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to the authority granted to the State of Alabama by the provisions of Section 93 of the Constitution of Alabama as amended, and any other laws of this State, the State is hereby expressly authorized and empowered to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable rivers, streams or waterways now or hereafter existing within this State, all manner of dock facilities, elevators, compresses, warehouses, water and rail terminals, and other structures and facilities and improvements of every kind needful for the convenient use of same, in

aid of commerce and use of the waterways of this State, provided, however, that all such works, improvements and facilities shall always be and remain under the management and control of the Alabama State Docks Department. The Alabama State Docks Department shall be the agency of the State under which the State shall accomplish all the purposes of this Act and the acquisition, construction, maintenance and operation of all the improvements and facilities acquired or constructed or enlarged pursuant to the provisions of this Act.

Section 2. The entire cost to the State of engaging in the work or development authorized by this Act shall not exceed in aggregate the principal sum of \$3,000,000.

Section 3. Through the Alabama State Docks Department, the State, in engaging in the works of internal improvements authorized by this Act, shall have the power to acquire, purchase, install, lease, construct, own, hold, maintain, equip, control and operate along navigable rivers, streams or waterways and at river ports or landings along navigable rivers, streams or waterways now or hereafter existing within the State, wharves, piers, docks, quays, grain elevators, cotton compresses, warehouses, improvements and water and rail terminals and such structures and facilities as may be needful for convenient use of the same, in aid of commerce and use of navigable waterways of the State, to the fullest extent practical and as the State Docks Department shall deem desirable or proper. This authority shall include dredging of approaches to any facilities acquired, erected, maintained or operated pursuant to this Act; provided, however, that before the State Docks Department shall exercise the authority invested in it hereby, the Director of State Docks shall first submit plans, including estimates of cost, prepared by competent engineers or architects, and a survey made by competent independent and professional engineers showing the economic feasibility of exercising its authority, to the Governor for his approval or disapproval in reference thereto, and, as to dredging, the State Docks Director shall likewise confer with proper United States authorities; provided the State Docks Department shall have no authority to condemn or acquire by exercise of the right of eminent domain any privately owned ports, terminals, docks or loading facilities located on any navigable river or stream except at the port of Mobile.

Section 4. All administration, supervision, authority and responsibility under this Act and operations conducted hereunder, vested in the Alabama State Docks Department, shall be in addition to all power, duties and authority conferred on such Department by Title 38 of the Code of Alabama as amended or conferred pursuant to Act No. 367 of the General Acts of Alabama of 1955, the intent of this Act being that the authority, powers, responsibilities and duties imposed by this Act shall be in addition to and supplemental of the powers, authority, responsibilities and duties conferred or imposed on said Department by any other laws of this State.

Section 5. There is hereby vested in the State Docks Department power of eminent domain in carrying out the provisions of this Act, which power shall apply not only as to all property of private persons and corporations, except as limited in Section 3 of this Act, but also as to property already devoted to public use; provided, however, that the State Docks Department shall have no authority to acquire without consent of the owner thereof by condemnation any property now operated and used for port purposes or such purposes as the State Docks Department is authorized to acquire and use property for, unless the necessity therefor be alleged and proved.

Section 6. In acquiring rights of way and property necessary for the construction of railroads and structures, including railroad crossings,

wharves, piers, elevators, compresses, warehouses, improvements and riparian and littoral terminals and structures and convenient approaches thereto in furtherance of the purposes of this Act, the Alabama State Docks Department shall have the power to acquire same by gift, lease, purchase, negotiation or condemnation, and in condemning property, it may proceed in any manner authorized by the General Laws of the State for proceedings by any county, municipality or corporation organized under the laws of this State to acquire property by condemnation, subject to the restrictions contained in this Act.

Section 7. In any operations conducted under this Act, the State Docks Department may contract such current indebtedness as is necessarily incident to the progress of the work in accordance with the terms of this Act.

Section 8. In order to provide funds for the purposes herein authorized, the Governor is hereby empowered to execute, with the concurrence of the Director of State Docks, and to sell, the State's bonds in such amounts, not exceeding in the aggregate the sum of \$3,000,000 as may be necessary for said purposes, all under and subject to the following provisions: Said bonds shall be appropriately designated as Inland Waterways Improvement Bonds of the State. The bonds may be issued from time to time in one or more series and the bonds of each series shall be payable in substantially equal annual installments of principal and interest at such times as may be designated by the State Docks Department with the approval of the Governor; provided, that the first installment of principal of the bonds of each series must mature not later than ten years from the date of such series and the last installment of principal of the bonds of any series must mature not later than fifty years from such date. Such bonds shall be in denominations of \$1,000 and multiples of \$1,000, the number of each denomination in each lot of bonds executed to be determined by the State Docks Department with the consent of the Governor. The bonds shall be signed in the name of the State by the Governor and the Great Seal of the State, or a facsimile thereof, shall be affixed thereto or engraved, lithographed or imprinted thereon and attested by the signature of the Secretary of State; provided, that the signature on any of the bonds of one but not of both of said officials may be a facsimile signature. The bonds may be in either bearer or registered form either as to principal or interest or both. The bonds may contain provisions for the call of such bonds prior to the maturity date as may be prescribed by the Director of State Docks. The bonds shall bear interest at such rate, not exceeding five per cent per annum, as may be determined by the Director of State Docks with the consent and approval of the Governor. The interest provided by the bonds shall be payable semiannually, interest on coupon bonds being evidenced by interest coupons attached thereto, each of which coupons shall be authenticated by the facsimile signature of the State Treasurer imprinted thereon. Any bonds bearing interest at five per cent per annum shall not be sold at less than par. Bonds bearing interest at less than five per cent per annum shall be sold at such prices that the cost to the State of Alabama, including annual interest and amortization, shall not exceed five per cent per annum. The State Treasurer shall keep a complete record of all bonds issued under authority of this Act. Bonds issued in coupon form may be exchanged for fully registered bonds or bonds registered as to principal only. Coupon bonds and registered bonds shall be interchangeable. Upon issuance of a coupon bond for a registered bond, all matured and unearned coupons on said bond shall be by the State Treasurer first clipped from said bond and then cancelled. The Governor is authorized to prescribe regulations for the registration of bonds and interchange of registered and coupon bonds and fix reasonable charges for registration of bonds. The Director of State Docks, with the approval of the Governor, and subject to the requirements of this Act, is authorized to pre-

scribe the exact form in which bonds shall be issued and details as to terms. The State Treasurer shall keep a record of all registered bonds, including names and addresses of the respective holders thereof. Registered bonds may be transferred only by an appropriate change of registration in such manner and form as may be prescribed by the Director of State Docks and approved by the Governor. Interest on all registered bonds shall be payable by check or cash by the State Treasurer mailed to the address shown by the registration records. Interest on all coupon bonds and principal of all bonds shall be made payable in lawful currency of the United States at the State Treasury or such other place or places as may be selected and named by the Director of State Docks with the approval of the Governor. Said bonds shall be emitted and sold only when and as funds are needed for the carrying out and accomplishing of a particular improvement or plan which has been submitted to and approved by the Governor as herein provided, or for the payment of temporary loans and interest under the provisions of this Act. Each sale of bonds hereunder shall be for such amount as is reasonably necessary to pay interest and temporary loans as herein provided and to cover the cost of carrying out the plan or plans theretofore submitted to and approved by the Governor, it being intended to so provide that the improvement and development will be accomplished in such units or installments as the Alabama State Docks Department, with the approval of the Governor, shall allot, and to further provide that the obligations of the State hereby authorized shall be emitted only when necessary to supply the funds required for said purposes. The act of the State Docks Department and the Governor in offering any bonds for sale shall be conclusive evidence that the funds to be derived from the bond proceeds are actually needed at the time for the purposes for which bonds are herein authorized to be issued and that the proceeds of such bonds are intended only for the work of internal improvement in promoting, developing, constructing, maintaining and operating facilities along inland waterways of the State of Alabama pursuant to the provisions of the Act or for payment of temporary loans and interest pursuant to the provisions of this Act. Each issue of bonds shall be designated by a distinctive serial number, letter, or other designation. Proceeds of all of said bonds issued and sold under the provisions hereof shall be paid into the State Treasury and kept by the State Treasurer in a separate account and in a separate fund and paid over to the Secretary-Treasurer of the State Docks Department from time to time in such amounts as shall be directed by the Governor as in his judgment the purposes of this Act may require, and the money so paid over to the Secretary-Treasurer of the State Docks Department shall be held and used only for the accomplishment of the purposes of this Act. The State, at the request of the State Docks Department and on approval by the Governor, may borrow from time to time such sums of money as the Governor may find to be immediately necessary in the general operation of facilities acquired pursuant to this Act or in making the developments or improvements hereby authorized or for payment of interest on outstanding bonds or other indebtedness lawfully incurred; and the State Docks Department, subject to the approval of the Governor and acting by and under the Director and Secretary-Treasurer, is hereby empowered to execute notes or like obligations of the State in its own name for all such sums so borrowed. No loans thus obtained shall be for more than six months or bear interest at a greater rate than six per cent per annum, but they may be renewed from time to time as may be necessary. The proceeds of all loans so obtained shall be paid to the Secretary-Treasurer of the State Docks Department and be held and used only for the accomplishment of the purposes of this Act. All temporary loans so obtained shall be repaid from and out of the proceeds of the next sale of bonds hereby authorized or other funds in the hands of the State Docks Department which may be available. At no time shall the amount of outstanding obligations of the State issued hereunder, including bonds, notes or other evidences of debt, exceed in

the aggregate \$3,000,000. The Secretary-Treasurer of the State Docks Department shall deposit such funds as are received by him as Secretary-Treasurer from time to time in such bank or banks as may be designated by the State Docks Department and approved by the Governor. The State Docks Department shall require that any bank or banks receiving such deposits shall secure the same by deposit of Inland Waterway Improvement Bonds authorized by this Act or by State Bonds of the State of Alabama, or United States Government securities. The State Docks Department and the Governor shall, if possible, require interest to be paid on such deposits carried in any bank or banks. The aggregate principal of all temporary loans made under the provisions of the Act and outstanding at any one time shall not exceed \$200,000.

Section 9. The proceeds of the handling and operation of improvements and facilities constructed pursuant to this Act shall be applied as follows: All expenses of carrying out the purposes of this Act shall be paid from said proceeds. Not less than thirty days before each semiannual date upon which interest matures on the bonds hereby authorized, or any installment of principal matures, the Secretary-Treasurer of the State Docks Department shall pay to the State Treasury from receipts of facilities constructed pursuant to this Act an amount sufficient to cover such installment of interest or principal, and therefrom the State Treasurer shall pay such interest or principal. If the receipts of the State Docks Department from facilities constructed pursuant to this Act be insufficient to cover any expenses herein provided for or any installment of interest or principal, the deficiency may be paid from the proceeds of any sale of bonds hereby authorized, provided such use of the said proceeds shall be limited to the payment of expenses and interest on bonds for only the first three years after the completion and putting into operation of the unit or units or improvement or improvements acquired with the proceeds of such bonds, or the amount necessary for the payment of such interest may be obtained from temporary loans negotiated therefor as hereinbefore authorized. It is intended to so provide that all of the revenues and income arising from operations authorized by this Act and from all property acquired under the provisions of this Act shall be devoted to the payment of expenses of such operation, to the payment of interest upon the bonds issued pursuant to this Act, and other payment of principal of such bonds as they respectively mature, thus relieving other revenues of the State Docks Department, or other revenues of the State, from any burden in that behalf unless the aforesaid income be insufficient for the purposes mentioned. The State Docks Department may retain from the monies coming into its hands from any facility obtained pursuant to this Act such amounts as may be reasonably required for operating capital for facilities and improvements constructed pursuant to this Act, and all amounts so retained shall be deemed to be an operating expense within the meaning of this Act.

Section 10. Immediately upon the completion of each unit of development along its inland waterway system acquired or erected pursuant to this Act, the Director of the Alabama State Docks Department shall ascertain the cost of such unit, which cost shall be entered in the accounts kept by the State Docks Department as a charge against capital account for that unit. After the first twelve months from the completion of each unit pursuant to this Act, one-half of one per cent of the cost thereof, not exceeding one-half of the gross income thereof during each month, shall at the end of the month be credited to an account designated "sinking fund" and shall be used from time to time only for the purpose of paying interest charges and of retiring, by repurchase, bonds issued pursuant to this Act at not more than par or by paying them off as the same mature, until all bonds issued pursuant to this Act shall have been retired; provided, however, that whenever the sinking fund thus created shall exceed the bonds outstanding plus interest charges maturing with-

in the next twenty-four months, then the surplus shall be available for use in future development and improvements pursuant to this Act.

Section 11. For the payment of both the principal and interest of all bonds issued under the authority of this Act according to their tenor, the full faith and credit of the State of Alabama is hereby pledged. If the funds supplied by the Alabama State Docks Department to the State Treasurer from the sources prescribed by this Act be insufficient to fully pay at maturity any installment of interest on said bonds or to pay at maturity the principal of said bonds, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated.

Section 12. In order to enable the operations established under this Act to **earn funds to pay operating expenses and interest on the bonds** and to create a sinking fund for the retirement of the bonds, the said Alabama State Docks Department shall have the right and power to fix from time to time reasonable rates of charges for services to all persons using said facilities.

Section 13. The State Docks Department shall make to each regular session of the Legislature a report showing the indebtedness of the State created under this Act, the property acquired, the facilities owned, the results of the operation, and such other information as may be necessary to fully advise the Legislature of the status and progress of the improvement and development hereby authorized.

Section 14. The Governor and the State Docks Department, respectively, are hereby directed and required to exercise the power and authority by this Act conferred upon them, respectively, to whatever extent is necessary to the accomplishment of the improvement and development hereby authorized. Any approval or consent by the Governor required by this Act shall be sufficiently evidenced by a certificate to that effect signed by the Governor and filed in the office of the State Treasurer, and approval or consent by the State Docks Department shall be sufficiently shown by a certificate signed by the Director of State Docks and attested by the Secretary-Treasurer of the Alabama State Docks Department and filed in the office of the State Treasurer.

Section 15. No indebtedness heretofore incurred by the Alabama State Docks Department shall be paid out of any of the funds received by the Department pursuant to this Act.

Section 16. Any license heretofore granted by the State of Alabama, either expressly or by implication, permitting the upland owner to occupy any part of the space between the high water mark and the low water mark of any navigable waterway of this State or along the banks of any river, stream or waterway now or hereafter along the waterway of this State, may be revoked by the State Docks Department whenever the Department shall determine to make use of such property for purposes contemplated by this Act or may be suspended pending investigation and decision as to whether such use shall be made; provided, however, that when such property has been or shall have been already improved by the upland owner, his license to maintain the improvement and to exercise such control thereover as may be conferred upon him by a license from the State shall not be revoked or suspended otherwise than by exercise of eminent domain as long as such owner shall occupy such property with improvements appropriate to and devoted to the use of such property as a facility to commerce as contemplated by the license. Whenever the State Docks Department shall determine that any part of the property of the State is being occupied under a license from the State, but that the improvements thereon are not being so maintained and used as facilities to commerce as reasonably to serve the purpose for which the license was granted, and it is desirable that this land should

be improved by the State Docks Department, then the State Docks Department may call upon such owner of the improvements to put the same in such condition as reasonably to serve is such facilities to commerce within the purpose of the license under which they were erected. If the owner shall fail to comply with such request within a reasonable time, then the State Docks Department may file a bill in the Circuit Court of the Circuit in which the land is situated for the cancellation of such license. If upon final hearing, it shall be determined by the Court that said property is being occupied in violation of the intent and purpose of the license, then the Court shall by its decree cancel the same, and the State Docks Department shall be entitled to proceed with the improvement thereof, provided the use of such improvement by the upland owner shall in no event be disturbed until the State Docks Department is ready to begin the improvement of the land so occupied thereby under the terms of this Act.

Section 17. Any bonds issued pursuant to the authority of this Act and the interest thereon shall be exempt from all taxation by the State of Alabama or any political subdivision thereof.

Section 18. If any clause, phrase, sentence, paragraph, section, subsection, subdivision, or portion of this Act shall be held and declared to be unconstitutional or invalid for any cause, such declaration of invalidity shall not affect the remaining portions of this Act, but the same shall, to the contrary, remain in full force and effect as to all parts and portions thereof not declared invalid, the Legislature hereby expressly declaring that it would have passed and enacted into law the remaining provisions of this Act notwithstanding the provision, part or portion thereof declared to be invalid.

Section 19. Nothing in this Act shall be construed to alter, amend or repeal any act or part of any act now in force in this State or hereafter in force which is not in direct conflict with this Act. The Legislature declares that it is the legislative intent that this Act shall supplement, complement and enlarge upon all acts in this State covering or affecting the Alabama State Docks Department and that the Legislature intends by this Act to authorize and provide for the further development of inland navigable waterways of this State, in aid of commerce and trade and under the supervision, control and direction of the State at all times acting through its State Docks Department.

Section 20. This Act shall take effect upon ratification by the people of Alabama of a proposed Amendment to the Constitution of this State authorizing the State to engage in works of internal improvement along navigable waterways of the State by constructing docks and facilities and authorizing the State to become indebted for not exceeding \$10,000,000 in aggregate principal amount to carry out the purposes of the Amendment, which proposed Amendment is submitted by the Legislature of Alabama at the General Session for 1957. Upon ratification of such Amendment, this Act shall take effect. Otherwise, it shall not have any force or effect.

On motion of Mr. Flowers, further consideration of the bill, S. B. 119 and pending substitute, was postponed until the next legislative day as unfinished business.

RESOLUTION

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 53. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, July 12, 1957.

On motion of Mr. Lamberth, the Rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Tyson, Brannan, Simon and Nettles:

H. J. R. 56. Whereas, the Gulf Coast is the only coastal area of the United States without an off-shore weather station, and there is a proven need for more adequate weather information in this area, as evidenced by the awesome property damage and loss of life caused recently by Hurricane Audrey; and

Whereas, a floating ocean weather station could provide adequate warning of the formation of the severe storms which are characteristic of the area, and thereby contribute toward a minimization of loss of life and property damage in connection with future storms; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the Congress of the United States is hereby memorialized and petitioned to provide for the establishment of a floating weather station in the Gulf of Mexico, in order to give adequate protection to life and property in an area subject at any time to devastation by the severe storms which generally form in the central and western portions of the said Gulf.

Be it further resolved, that the Clerk of the House transmit a duly authenticated copy of this resolution to the Governor of each state bordering on the Gulf of Mexico, to the Speaker of the United States House of Representatives, to the President of the United States Senate, and to each member of the Alabama delegation in the United States Congress.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 56, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 52. Relative to the death of The Honorable Pugh Haynes and extending sympathy to the surviving members of his family.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 57. To propose an amendment to the Constitution of Alabama relative to the costs and charges of courts and the fees, commissions, percentages, allowances, and compensation of certain officers of Cullman County.

Also:

H. 326. To vacate certain Streets and portions of Streets and other Public Ways in part of the area in the City of Birmingham lying North of First Avenue North; East of 39th Street; South of the Central of Georgia Railroad right-of-way and West of the Southern Railroad right-of-way.

Also:

H. 515. To regulate further the office of Circuit Solicitor of the Eleventh Judicial Circuit. Creating special funds for expenditure for the benefit of the Circuit Solicitor in law enforcement and in the conduct of his office

Also:

H. 522. Relating to Tallapoosa County; fixing the compensation of the deputies to the sheriff of Tallapoosa County; and repealing conflicting laws.

Also:

H. 525. Relating to St. Clair County; authorizing and directing the court of county commissioners of St. Clair County to provide for the installation and use of voting machines in certain election precincts within the county; and authorizing the court of county commissioners to adjust the boundaries of election precincts and districts within the county in order to make the most effective use of such machines.

Also:

H. 526. Relating to St. Clair County: To fix the compensation of the coroner.

Also:

H. 542. Relating to St. Clair County: To amend Act No. 439, H. 933, approved August 17, 1951, (Acts of Alabama 1951, page 790), which impose extra, new and additional duties on the Tax Assessor and Tax Collector.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Hardy, Hain and Gilmer:

H. J. R. 55. Whereas the National Micro-Midget Association is hold-

ing its championship race this year in the State of Pennsylvania, and at such race will determine the location for its 1958 championship race; and

Whereas the people of Alabama would be honored by the holding of next year's race in this State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature of Alabama do hereby cordially invite the National Micro-Midget Association to hold its 1958 championship race in the City of Selma, Alabama.

Be it further resolved, that the Clerk of the House transmit a duly authenticated copy of this resolution to the appropriate officials of the National Micro-Midget Association, to the president of the Selma Junior Chamber of Commerce, and to the editor of The Selma Times-Journal.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Resolution, H. J. R. 55, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Gist and Money:

H. 439. To define, regulate, and license barbers, apprentice barbers, and the practice of barbering in Jackson County; to create the Board of Barber Examiners of Jackson County, and to provide for the appointment, term, powers, duties, and compensation of the members thereof; to provide for the examination of applicants for a barber's certificate of registration or for an apprentice barber's certification of registration; to provide for the issuance, suspension, and revocation of a certificate of registration, and to provide for appeals from any action of the Board of Barber Examiners in refusing to issue, or in suspending or revoking, a certificate of registration; and to prescribe penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF JACKSON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To define, regulate, and license barbers, apprentice barbers, and the practice of barbering in Jackson County; to create the Board of Barber Examiners of Jackson County, and to provide for the appointment, term,

powers, duties, and compensation of the members thereof; to provide for the examination of applicants for a barber's certificate of registration or for an apprentice barber's certification of registration; to provide for the issuance, suspension, and revocation of a certificate of registration, and to provide for appeals from any action of the Board of Barber Examiners in refusing to issue, or in suspending or revoking, a certificate of registration; and to prescribe penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Unlawful Acts—It shall be unlawful for any person to engage in the practice or attempt to practice barbering in Jackson County without a certificate of registration as a barber or as an apprentice barber issued by the Board of Barber Examiners of Jackson County pursuant to the provisions of this Act.

It shall be unlawful for any person to serve as an apprentice barber under a registered barber or otherwise without a certificate of registration as an apprentice barber issued by the board.

It shall be unlawful for any person, firm or corporation to operate a barber shop in Jackson County, unless such shop shall at all times be under the direct supervision and management of a registered barber, registered under the provisions of this Act.

It shall be unlawful for any person, firm or corporation to hire or employ any person to engage in the practice of barbering, as hereinafter defined, unless such person then holds a valid, unexpired, and unrevoked certificate of registration to practice barbering, or a certificate or registration as an apprentice barber.

It shall be unlawful for any person, firm or corporation owning, operating, or managing a barber shop in Jackson County to knowingly permit or allow any person who is afflicted with a contagious or infectious disease to work or be employed in such barber shop.

It shall be unlawful for any person, firm or corporation owning, operating, or managing a barber shop in Jackson County to knowingly permit or allow any person employed in such barber shop to violate any provision of this Act, or to violate any of the sanitation laws, rules, or regulations of the State of Alabama, or of the State Health Department, or of Jackson County.

It shall be unlawful for any person, firm or corporation to operate any barber shop in a residence or dwelling house in Jackson County while any part of such residence or dwelling house is being used at the same time for living or residence purposes, or to operate such barber shop in any place where foodstuffs are handled or sold, unless the walls or partitions of that part of the building occupied by such barber shop reach and extend from the floor to the ceiling of such building so that the barber shop is completely enclosed from the remainder of the building.

Section 2. Any one or any combination of the following practices done by any person for another, when done for payment, either directly or indirectly, upon the upper part of the body for cosmetic purposes (when not done for the treatment of disease of physical or mental ailments), constitutes the practice of barbering.

1. Shaving or trimming the beard, or cutting or trimming the hair.
2. Giving facial and scalp massages or applications with oil, creams, lotions or other preparations, either by hand or with the use of mechanical appliances.
3. Singeing, shampooing, or dyeing the hair or applying hair tonics.

4. Applying cosmetic preparations, antiseptics, powders, oils, clay, or lotions to scalp, face, or neck, or upper part of the human body.

For the purpose of this Act and as used herein, the term "barber shop" is hereby defined to embrace and include any establishment or place of business wherein the practice of barbering as hereinabove defined is engaged in or carried on, and which is open to the use of the general public.

Section 3. No apprentice barber shall independently practice barbering, but he may, as an apprentice barber registered under the provisions of this Act, do any or all of the acts constituting the practice of barbering under the immediate personal supervision of a registered barber. Only one such apprentice barber shall be employed in any licensed shop.

Section 4. The provisions of this Act shall not be constituted to apply to any beauty parlor, beau- such establishment operated for such establishment operated for women only.

Section 5. There is hereby created the Board of Barber Examiners of Jackson County, which shall be composed of the health officer of the county as an ex officio member and three other members to be appointed by the board, of revenue, court of county commissioners, or other like governing body of the county. Within two weeks after the effective date of this Act, the county governing body shall appoint the first three members of the board, one of whom shall be appointed for a term of one year, one of whom shall be appointed for a term of two years, and one of whom shall be appointed for a term of three years. The successor to each member first appointed to the board shall serve for a term of three years, and until his successor is appointed and qualified. No person shall be eligible for appointment as a member of the board, unless he is a practicing barber who has been engaged in such practice for a period of not less than five years, at least three years of which must have been in Jackson County. Each member of the board shall receive five dollars (\$5.00) for each day he actually attends a meeting of the board, but the total compensation of any member of the board shall not exceed twenty dollars (\$20.00) in any one year. The board shall elect a president and secretary-treasurer from among its members. Except as otherwise provided herein, the board shall be responsible for the administration and enforcement of this Act.

Section 6. The board shall hold at least one meeting each year, and notice of the meeting shall be given by publication in some newspaper of general circulation in Jackson County, or by mailing such notice to each registered barber and apprentice barber in the county, giving the time and place of such meeting. Except as otherwise provided herein, meetings of the board shall be upon call of the president. The president and any two members of the board shall constitute a quorum for the conduct of any business of the board.

Section 7. All fees and charges collected by the board under the provisions of this Act shall be paid into the county treasury, and shall constitute a separate fund to be disbursed by the governing body of the county, with the approval of the chairman of the county governing body, on order of the Board of Barber Examiners. All expenses of the Board of Barber Examiners, incurred in administering and enforcing the provisions of this Act, shall be paid out of such special fund, but at no time shall the expenses of the board be greater than the amount on hand in such special fund. All money in excess of five hundred dollars (\$500.00) remaining in said special fund at the end of any fiscal year shall become a part of the general fund of the county.

Section 8. Any person desiring to practice as an apprentice barber in Jackson County after the effective date of this Act shall make written

application to the Board of Barber Examiners, and state, under oath, his name, age, residence for the past five years, previous barbering experience, and such other information as the board may require. The application shall be accompanied by the certificate of a reputable and licensed physician of the county certifying that the applicant has been examined by him and is not afflicted with any contagious or infectious disease that is likely to endanger the public health. The physician's certificate shall also give the date of his examination of the applicant, which examination must be within ten days immediately preceding the date the applicant files his application. Each application must be accompanied by the payment of an examination fee in the amount of fifteen dollars (\$15.00). The board shall, within twenty days after the filing of any such application, meet and examine the applicant for the purpose of determining his fitness to practice as an apprentice barber, considering his moral habits and physical capabilities. If the board determines the applicant to be qualified to practice as an apprentice barber, then it shall issue to him a certificate of registration as an apprentice barber, upon payment by the applicant of a license fee of four dollars (\$4.00). Such certificate of registration shall be good for six months, at the expiration of which time the apprentice barber may make application, in the manner prescribed herein, for a certificate of registration as a barber. Provided, however, that the board may, at its discretion, renew an apprentice barber's certificate of registration for a period not to exceed six months.

Section 9. Any person desiring to practice as a barber in Jackson County may, if he has served as an apprentice barber under the provisions of this Act for a period of not less than six months, make application to the Board of Barber Examiners, in writing and under oath, for a certificate of registration. The application shall be accompanied by the certificate of a reputable and licensed physician of the county certifying that the applicant has been examined by him and is not afflicted with any contagious or infectious disease that is likely to endanger the public health. The physician's certificate shall also give the date of his examination of the applicant, which examination must be within ten days immediately preceding the date the applicant files his application. The board shall, within twenty days after the filing of any such application, meet and examine the applicant for the purpose of determining his fitness to practice barbering, which examination must be based on the fundamental and scientific principals of barbering. If the board determines the applicant to be qualified, then it shall issue to him a certificate of registration as a barber, upon payment by the applicant of the annual license fee of four dollars (\$4.00). No person who is not of good moral character, or who is an alcoholic or drug addict, or who is a person of intemperate habits, shall be issued a certificate of registration as a barber.

Section 10. A barber's certificate of registration shall expire on the thirty-first day of December each year, and may be renewed on or before the first day of February each year without an examination by the board, upon the payment of the annual license fee of four dollars (\$4.00), and by submitting to the board the certificate of health required under the provisions of Section 9 of this Act. A barber's certificate of registration may be renewed in the same manner after the first day of February but prior to the first day of April upon the payment of a penalty of one dollar (\$1.00) in addition to the license fee prescribed herein. Provided, however, that it shall be unlawful for anyone, except a person holding a current apprentice's certificate of registration issued under the provisions of this Act, to practice barbering in Jackson County without having a barber's certification of registration in full force and effect.

Section 11. Any person, who shall have been actively engaged in the practice of barbering in Jackson County for a period of ninety days

continuously and immediately preceding the effective date of this Act, shall be entitled to a barber's certificate of registration, without submitting to an examination by the board, by making application for such certificate of registration within thirty days after the effective date of this Act, and upon payment of the annual license fee of four dollars (\$4.00). Provided, however, that such application must be accompanied by the certificate of a reputable and licensed physician of the county certifying that the applicant has been examined by him and is not afflicted with any contagious or infectious disease that is likely to endanger the public health. The physician's certificate shall also give the date of his examination of the applicant, which examination must be within ten days immediately preceding the date the applicant files his application.

Section 12. The Board of Barber Examiners shall have the right at any time to require any person operating or managing, or employed in, any barber shop in Jackson County to submit to a physical examination by a duly licensed physician of the county to determine whether such person is free from any contagious or infectious disease. Any person who fails to submit to such physical examination within five days after receipt of written notification thereof from the board shall be guilty of a violation of this Act, and upon conviction may be punished as prescribed herein. Each day such violation occurs shall constitute a separate offense.

Section 13. The health officer of Jackson County shall be responsible for the enforcement of the sanitary and health provisions of this Act. He shall make sanitary inspections of all barber shops in the county at least once each month, and at such other times as he may be called upon to do so by a majority of the members of the Board of Barber Examiners. All inspections shall be made during regular business hours of such barber shops.

Section 14. The Board of Barber Examiners of Jackson County shall revoke or suspend the certificate of registration of any barber or apprentice barber found guilty by the board of any of the following acts or offenses: 1. Fraud in procuring a certificate of registration; 2. Incompetence in the practice of barbering; 3. Immoral, unprofessional, or dishonorable conduct; 4. Habitual intoxication or addiction to drugs; 5. Conviction of an offense involving moral turpitude; 6. Fraud in representations as to skill or ability; 7. The use of untruthful or improbable advertising; 8. Distribution of intoxicating liquor or drugs for other than lawful purposes; 9. Repeated violations of any of the provisions of this Act; 10. Continued practice of barbering while knowingly having an infectious or contagious disease; 11. Wilfully failing or refusing to display the certificate of registration in a conspicuous place behind the barber chair or work stand.

The board shall give 5 days written notice to any barber or apprentice barber, whose certificate of registration it seeks to revoke or suspend, to appear before the board and show cause why his certificate of registration should not be revoked or suspended; and such notice shall set out in full all charges against such barber or apprentice barber and the time and place for hearing the same. This notice may be served on such barber or apprentice barber by any sheriff or deputy of the county, or by any member of the Board of Barber Examiners. Any barber or apprentice barber shall have the right to appeal to the circuit court of Jackson County, in the manner set out in this Act, from any and all final decisions made by the board.

Section 15. The board may refuse to grant a certificate of registration, or revoke or suspend any such certificate already granted, for any of the reasons set forth in this Act, upon due notice and opportunity of

hearing to the applicant for, or holder of, such certificate of registration. The board shall furnish to such applicant or holder, in writing, its findings of facts and its reasons for refusing to grant a certificate, or its reasons for suspending or revoking such certificate, which shall be served upon him by a member of the board, or by registered mail with a return receipt requested, or by any lawful officer of the State of Alabama. Any applicant for, or holder of, a certificate of registration, who considers himself aggrieved by any action taken by the board under the provisions of this Act, may appeal to the circuit court of Jackson County within thirty (30) days after receipt by him of the action of the board in writing, as provided above, by filing notice of appeal with the clerk of the circuit court, a copy of which notice must be served on the president of the Board of Barber Examiners, or upon the secretary in the absence of the president. Any action so appealed shall be tried de novo by said court, and the court shall have power and jurisdiction to reverse, vacate, modify, or affirm the order complained of. A regular postal receipt for registered letters signed by the addressee, or the return made by any lawful officer of the State of Alabama, or any member of the board, shall be prima facie evidence that the notice required to be served on the applicant for, or holder of, a certificate of registration, as provided for above, was served on said person. Such applicant or holder shall not be entitled to the notice provided for above, unless, at the time of the hearing before the board, he shall furnish the board with an address at which he will receive mail.

Section 16. Any person who violates any provision of this Act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than one thousand dollars; and if he holds a certificate of registration, it may also be revoked by the Board of Barber Examiners. Upon a second conviction, such certificate of registration must be revoked by the board. Such order of revocation shall be supplied to the violator and to the county health officer, and it shall be unlawful for any such person, whose certificate of registration has been revoked, to practice barbering in Jackson County. Each day a violation occurs shall constitute a separate offense.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

425A4C

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared William A. Edwards, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Associate Editor-Publisher of the Progressive Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 25, May 2, May 9, and May 16, all in the year 1957.

WILLIAM A. EDWARDS.

Sworn to and subscribed before me May 28th, 1957.

C. O. REED,
Notary Public.

Also:

By Messrs. McNider and Bradford:

H. 566. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 26,000 nor more than 26,600 according to the last or any subsequent federal decennial census.

Also:

By Mr. Burkhalter:

H. 573. To amend Section 5 of an act entitled "Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads, and bridges; and repealing conflicting laws," approved August 23, 1955, being Act No. 261.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE OF INTENTION TO APPLY FOR ADOPTION OF LOCAL BILL

STATE OF ALABAMA
CHEROKEE CONTY

Notice is hereby given of intention to apply for the adoption of a local bill in the present (1957 regular session) of the Legislature of Alabama, which bill to provide in substance as follows:

A BILL TO BE ENTITLED AN ACT

TO AMEND Section 5 of an act entitled "Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws," approved August 23, 1955, being Act No. 261.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 5 of an act entitled "Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials

to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws," approved August 23, 1955, being Act No. 261, be and the same is hereby amended so as to read as follows:

"Section 5. Persons employed by Cherokee County for road and bridge work who are in service on the effective date of this Act may be continued in service by the State Highway Department, in its discretion, until January 1, 1957, without regard to the State's Merit System Act or rules and regulations promulgated under its authority. All other persons employed by the department in the administration of this Act shall be employed subject to the Merit System Law, after June 1, 1957, provided that any person employed by the department upon the effective date of this Act shall be automatically covered under the Merit System Act, and it shall not be necessary to re-employ such persons."

Section 2. That all laws and parts of laws in conflict with the provisions hereof be and the same hereby are expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

Representative, J. B. Burkhalter.

13-4c.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, E. G. James, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Intention to apply for adoption of local bill as published in said newspaper once a week for four consecutive weeks, beginning on the 29th day of May, 1957, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 20th day of June, 1957.

E. G. JAMES,
Notary Public.

Also:

By Mr. Tyson:

H. 444. To provide further for the registration of voters in all counties having a population of not less than 200,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Mr. Locke (Choctaw):

H. 626. Relating to Choctaw County: To amend Section 4 of Act

No. 660, General and Local Acts of 1951, approved September 4, 1951, relating to the Inferior Court of Choctaw County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Choctaw County: To amend Section 4 of Act No. 660, General & Local Acts of 1951, approved September 4, 1951, relating to the Inferior Court of Choctaw County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 660, General & Local Acts of 1951, approved September 4, 1951, relating to the Inferior Court of Choctaw County, be and the same is hereby amended to read as follows:

"Section 4. CLERK. (a) The Circuit clerk of Choctaw County shall be ex-officio clerk of the court herein established. The clerk of the Inferior Court shall receive as his compensation the same fees and costs as are now allowed by law to clerks of circuit courts in this State, and in addition thereto he shall receive an annual salary of three hundred dollars (\$300.00) payable in equal monthly installments out of the county treasury on the warrant of the judge of said court. The clerk shall also receive a fee of seventy-five cents (\$0.75) for each writ of arrest issued by him, to be taxed and collected by him as other costs are taxed and collected.

"(b) It shall be the duty of the clerk to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

"(c) The clerk shall have power and authority: 1) to administer oaths and take acknowledgments and affidavits; 2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; 3) to approve bonds in civil and criminal cases; 4) to enter all judgments, orders, and decrees of the court; 5) to certify all appeals and transcripts; 6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of circuit courts.

"(d) The clerk, before entering upon the duties of his office, shall give bond in such a penal sum as may be provided by the Board of Commissioners of Choctaw County payable and conditioned upon the faithful performance of the duties of his office. This bond shall be approved by the judge and shall be recorded in the office of the Probate Judge of Choctaw County. The premium on the bond shall be paid out of the general fund of the county.

"(3) The clerk shall appoint a deputy who shall hold office at the will of the clerk and who shall receive the portion of the fees provided for in this Act as the clerk shall designate. Any deputy so appointed shall have the authority to file papers and do all things herein provided in the name of the clerk."

Section 2. All laws, local, special and general, in conflict with the provisions hereof are hereby repealed.

Section 3. The provisions of this Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. D. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1957.

D. D. BLOUNT.

Sworn to and subscribed before me June 2, 1957.

F. N. BRUISTER,
Circuit Clerk.

Also:

By Mr. Davis:

H. 628. To amend an act approved August 26, 1953, entitled "An Act Relating to Cullman County; fixing the compensation of the coroner" (Act No. 374, H. 736, Acts of Alabama, Regular Session, 1953, Vol. I, p. 446).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend an act approved August 26, 1953, entitled "An Act Relating to Cullman County; fixing the compensation of the coroner" (Act No. 374, H. 736, Acts of Alabama, Regular Session, 1953, Vol. I, p. 446).

Be It Enacted by the Legislature of Alabama:

That Section 1 of an act approved August 26, 1953, entitled "An Act Relating to Cullman County; fixing the compensation of the coroner" (Act No. 374, H. 736, Acts of Alabama, Regular Session, 1953, Vol. I, p. 446) is amended to read as follows:

"Section 1. The coroner of Cullman County shall receive an annual salary of twelve hundred (\$1,200.00), payable in equal monthly in-

stallments as the salaries of other county employees are paid, which salary shall be in lieu of all other compensation."

Rep. Bryce C. Davis

May 22-29—June 5-12

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of **The Times**, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1957.

ROBERT BRYAN.

Sworn to and subscribed before me June 24, 1957.

MARIE W. BERGIN,
Notary Public.

My commission expires 3/29/61

Also:

By Mr. Ferrell:

H. 630. To require a license for each person, firm, corporation, dealer or agent selling, offering to sell, or soliciting orders for the sale of furniture, household goods and appliances to ultimate consumers who do not maintain a regular established place of business in DeKalb County, Alabama, for the sale of such furniture and provide for the collection of said license, and to provide a penalty for failure to take out said license and to provide that the Probate Judge issue said license and to provide that the money collected from said license to be paid into the General Fund of DeKalb County, Alabama, for general purposes.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort made to secure its passage. Said bill, in substance, being as follows:

A BILL TO BE ENTITLED AN ACT

To require license from each person, firm, corporation, dealer or agent selling, offering to sell, or soliciting orders for the sale of furniture, household goods and appliances to ultimate consumers who do not maintain a regular established place of business in DeKalb County, Alabama, for the sale of such furniture and provide for the collection of said license, and to provide a penalty for failure to take out said license and to provide that the Probate Judge issue said license and to provide that the money collected from said license to be paid into the General Fund of DeKalb County, Alabama, for general purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. That each person, firm, corporation, dealer or agent selling, offering to sell, or soliciting orders for the sale of furniture, household goods and appliances to ultimate consumers, who do not maintain a regularly established place of business in DeKalb County, Alabama, for the sale of such furniture, household goods and appliances, shall be required to pay an annual license of One Thousand Dollars (\$1,000.00) for the use of DeKalb County, Alabama, which shall be in addition to all other license as required by law.

Section 2. The license required by this Act shall be issued by the Judge of Probate of DeKalb County, Alabama, and he shall receive for the insurance of such license a fee of \$1.00 and upon the payment of the license required by this Act, the Probate Judge shall issue said license, and all money derived from said license shall be paid into the General Fund of DeKalb County, Alabama, for general county purposes.

Section 3. Any person, firm, corporation, dealer or agent violating any provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not more than \$1,000.00 and in addition to such fine, the Court may, in its discretion, impose a hard labor sentence for DeKalb County, Alabama, of not more than six months.

Section 4. All laws or parts of laws in conflict herewith are expressly repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

6-3-4J

STATE OF ALABAMA
DEKALB COUNTY

Before me, W. M. Beck, a Notary Public in and for said County and State, personally appeared Bobby R. Day, who being by me first duly sworn, deposes and says: That I am the Editor and Publisher of the "Fort Payne Journal," a weekly newspaper of general circulation, published in Fort Payne, DeKalb County, Alabama; that the attached notice of local legislation was regularly published in said paper for four consecutive weeks in the issues of June 3, June 10, June 17, and June 24, 1957; and that no part of the publication fees for the running of said local act in said newspaper was paid from State, County, or any other public funds.

BOBBY R. DAY,
Editor and Publisher.

Sworn to and subscribed before me this the 24th day of June, A.D., 1957.

W. M. BECK,
Notary Public.

My commission expires 2-7-59.

Also:

By Mr. Lee (Lawrence):

H. 634. Relating to Lawrence County; regulating further the times and places of registering voters by the board of registrars.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County; regulating further the times and places of registering voters by the board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of registrars of Lawrence County shall meet at the courthouse of the county on thirty separate days between the first day of October and the thirty-first day of December, 1957, and each two years thereafter, to register persons entitled to register; and hereafter the board shall have no authority to visit the several precincts of the county to register persons entitled to register pursuant to Section 26 of Title 17, Code of Alabama (1940), as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joe Calvin
W. J. Lee, Jr.

22-4

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 24, 1957.

J. L. WEATHERWAX,
Notary Public.

Also:

By Mr. Lee (Lawrence):

H. 635. Relating to Lawrence County, fixing the time of meeting of the county board of equalization to review, revise, correct and fix the assessment values as set by the tax assessor; repealing conflicting laws.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County fixing the time of meeting of the county board of equalization to review, revise, correct and fix the assessment values as set by the tax assessor; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of equalization of Lawrence County shall meet on the third Monday in January of each year and sit at the courthouse of the county from day to day to review, revise, correct and fix the assessment values as set by the tax assessor, and shall remain in session until their duties have been completed or their allotted number of days have been exhausted, as prescribed by law. Such meetings shall be in lieu of the meetings provided for by Section 104 of Title 51, Code of Alabama (1940), as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Joe Calvin
W. J. Lee, Jr.

22-4

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me June 24, 1957.

J. L. WEATHERWAX,
Notary Public.

Also:

By Mr. Cox:

H. 638. To extend the corporate limit lines of the City of Guntersville, Alabama, and to provide when said Act will take effect.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that application will be made to the Legislature of Alabama for enactment of the following bill into law, to-wit:

A BILL TO BE ENTITLED AN ACT

To extend the corporate limit lines of the City of Guntersville, Alabama, and to provide when said Act will take effect.

Be It Enacted by the Legislature of Alabama:

Section 1. That on and after the passage and approval of this bill the corporate limit lines of the City of Guntersville, Alabama, be and are extended to include the following described tract of land, to-wit:

Beginning at the northwest corner of Section 21, Township 8, Range 3 East; thence south along the section lines of Sections 21 and 28 to the southwest corner of the north half of the northwest fourth of Section 28, Township 8 South, Range 3 East; thence east and following the south line of the said north half of the northwest fourth of Section 28 to a point where the same crosses the 595.44 contour line on or near the Guntersville Reservoir; thence following the meanderings of said contour line in a northern and easterly direction to a point where the north boundary of Section 21, Township 8, Range 3 East extends across said contour line; thence west along the north boundary line of said Section 21, Township 8, Range 3 East to the point of beginning, lying and being in Marshall County, Alabama.

Section 2. This Act shall take effect immediately upon its passage and approved by the Governor or its otherwise becoming a law."

—W-4c-6-19

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Advertiser-Gleam, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29th, June 5th, June 12th, and June 19th, all in the year 1957.

PORTER HARVEY.

Sworn to and subscribed before me June 19th, 1957.

CHARLES R. SORTER,
Notary Public, State at large, Alabama.

ALICE WELLS HARVEY,
Notary Public, State at large, Alabama.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 640. To amend the title and Sections 6 and 9 of Act No. 31 adopted at the Second Special Session of the Legislature of Alabama of 1956, which act is applicable to any county having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent federal census, so as to provide for the issuance of general obligation warrants of such counties in amounts which, when added to the amount of the special recording fees provided for in said Act No. 31 on hand for such purpose remaining after creating a special fund as a reserve or cushion for the benefit of such warrants, will be sufficient to pay the costs of installation of the improved indexing and recording provided for in said act, and so as to provide that such warrants and any interest coupons applicable thereto shall evidence claims for office supplies for offices of Probate Judges within the meaning of Subsection 3 of Section 121 of Title 12 of the Code of Alabama of 1940, as amended, and so as to provide that issuance of such warrants and coupons shall constitute audit and allowance of such claims and that said claims need not be proved or registered.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 641. Applying in counties having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent Federal census; providing for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate of such county.

Also:

By Messrs. Payne and McKay:

H. 646. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 461, H. 885, Local Acts of 1947, p. 323).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, Regular Session 1957, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of an act approved September 25, 1947 entitled "An Act to change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 461, H. 885, Local Acts p. 323.)

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 461, H. 885, Local Acts of 1947, p. 323) is amended to read as follows:

"Section 1. The salary of the Register of the Circuit Court of Talladega County shall be four thousand eight hundred dollars (\$4,800) per year, in lieu of all other compensation, to be paid out of the county treasury in equal monthly installments as the salaries of county employers are paid. All fees, commissions, percentages, and allowances heretofore collectible for the use of the register of the circuit court shall be collected and paid into the general fund of the county."

Section 2. This Act shall become effective at the expiration of the term of the incumbent register. 9-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. V. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and May 30, all in the year 1957.

J. V. GREER.

Sworn to and subscribed before me June 24, 1957.

LEON ARCHER,
Notary Public.

Also:

By Messrs. Payne and McKay:

H. 647. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Circuit Clerk of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 460, H. 884, Local Acts of 1947, p. 322).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, Regular Session 1957, and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Circuit Clerk of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him". (Act No. 460, H. 884, Local Acts of 1947, p. 322.)

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Circuit Clerk

of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 460, H. 884, Local Acts of 1947, p. 322) is hereby amended to read as follows:

"Section 1. The salary of the Circuit Clerk of Talladega County shall be six thousand dollars (\$6,000) per year, in lieu of all other compensation, to be paid out of the county treasury in equal monthly installments as the salaries of county employees are paid. All fees, commissions, percentages, and allowances heretofore collectible for the use of the circuit clerk shall be collected and paid into the general fund of the county."

Section 2. This Act shall become effective at the expiration of the term of the incumbent circuit clerk. 9-4tc

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. V. Greer, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Sylacauga News, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1957.

J. V. GREER.

Sworn to and subscribed before me June 24, 1957.

LEON ARCHER,
Notary Public.

Also:

By Messrs. Payne and McKay:

H. 648. To amend Section 27 of an act approved March 15, 1911, entitled "An Act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Talladega County, Alabama" (Act No. 118, S. 203, Local Acts of 1911, p. 113).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 27 of an act approved March 15, 1911, entitled "An Act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Talladega County, Alabama" (Act No. 118, S. 203, Local Acts of 1911, p. 113).

Be It Enacted by the Legislature of Alabama:

That Section 27 of an Act approved March 15, 1911, entitled "An Act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Talladega County, Alabama" (Act No. 118, S. 203, Local Acts of 1911, p. 113), is hereby amended to read as follows:

"Section 27. Be it further enacted, That it shall be the duty of the court of county commissioners of Talladega County to make and enter upon the minutes of said court at the July term, 1911, and at the same term each succeeding year, an order appropriating as much from the general funds of the County as the said court may see proper, consistent with other demands upon the county treasury. Upon making such appropriation, the said court shall direct by proper order, and it shall be the duty of the county treasurer to open an account, to be known as the county road fund account, and whenever any money shall be paid to said treasurer for the general fund, he shall enter the proportionate part thereof, as fixed by the order of said court to the credit of said road fund and the remainder to the credit of the county general fund. Provided that said road fund may from time to time be increased by additional appropriations made by said court." M30 4tc

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: May 30, 1957, June 6, 1957, June 13, 1957, June 20, 1957.

W. A. MOODY.

Subscribed and sworn to before me this 24 day of June, 1957.

JOE J. PHILLIPS,
Notary Public.

Also:

By Messrs. Payne and McKay:

H. 649. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Sheriff of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 462, H. 886, Local Acts of 1947, p. 324).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Sheriff of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 462, H. 886, Local Acts of 1947, p. 324).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Sheriff of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 462, H. 886, Local Acts of 1947, p. 324), is hereby amended to read as follows:

"Section 1. The salary of the Sheriff of Talladega County shall be seven thousand five hundred dollars (\$7,500) per year, in lieu of all other compensation, to be out of the county treasury in equal monthly installments as the salaries of county employees are paid. All fees, commissions, percentages, and allowances heretofore collectible for the use of the sheriff shall be collected and paid into the general fund of the county."

Section 2. This Act shall become effective on the first Monday after the second Tuesday in January 1959. M30 4tc

STATE OF ALABAMA
TALLADEGA COUNTY

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for 4 weeks consecutively, to-wit in the issues hereof dated as follows: May 30, 1957, June 6, 1957, June 13, 1957, June 20, 1957.

Subscribed and sworn to before me this 24 day of June, 1957.

W. A. MOODY.

JOE J. PHILLIPS,
Notary Public.

Also:

By Messrs. Lackey, Vacca, Kaul, Perry, Nice, Edwards (Jefferson), Adams (Jefferson) and Oden:

H. 631. To amend retrospectively Section 22 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, relating to cities having a population of two hundred and fifty thousand inhabitants according to the last or any succeeding federal census.

Also:

By Messrs. Lackey, Vacca, Kaul, Perry, Nice, Edwards (Jefferson), Adams (Jefferson) and Oden:

H. 632. TO AMEND retrospectively Section 9 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 439, 566, 573, 444, 626, 628, 630, 634, 635, 638, 640, 641, 646, 647, 648, 649, 631, and 632—To the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Stokes, Cornett, Kendall, Goodwyn, Steagall, Lee (Barbour), Simon, Murphy, Tyson, Wood, Oden, Gregory, Albea, Stembridge, Mathison and Hawkins:

H. 234. To fix the compensation of Circuit Solicitors payable from the State Treasury.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 234—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Fite:

H. 111. To provide for the issuance of special license tags, upon the payment of an additional fee of one dollar, to disabled veterans of any armed conflict in which the United States was, is, or shall be engaged against any foreign state, whether as a result of a declared war or not, upon which, in lieu of the numbers now prescribed by law, shall be inscribed the letters "D. V.," and an identifying number as prescribed by the State Department of Revenue.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 111—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hare:

H. J. R. 54. Whereas The Honorable William W. Garrett died at his home at Uriah, on Saturday, July 6, 1957; and

Whereas The Honorable William W. Garrett was a former member of both Houses of the Legislature, having served in the House of Representatives during the Dixon, Folsom, and Persons administrations, and in the Senate during the Sparks administration; and

Whereas The Honorable William W. Garrett was noted for his work in connection with agriculture and for his sponsorship of legislation providing for the establishment of livestock coliseums throughout the State, including the coliseum in Montgomery; and

Whereas The Honorable William W. Garrett had also served as chairman of the Alabama State Building Commission and as chairman of the Agricultural Center Board; and

Whereas the death of this outstanding, public-spirited citizen is deeply mourned by the members of the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature hereby take official note of the passing of The Honorable William W. Garrett, and extend their sincere sympathy to the surviving members of his family.

Be it further resolved, that copies of this resolution be spread upon the journals of the two Houses, and that a copy be forwarded to the bereaved widow, Mrs. Margaret F. Garrett, at Uriah.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Rules were suspended, and the Resolution, H. J. R. 54, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 443. Relating to all counties in the State having a population of not less than 18,400 nor more than 18,800 inhabitants, according to the last or any subsequent Federal decennial census; to authorize and direct the governing body of any such county to allow and pay to the sheriff an amount not in excess of one hundred dollars (\$100) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business.

Also:

H. 524. To provide for the appointment and tenure and number, and fixing the compensation, of Bailiffs for Circuit Courts of Alabama in Circuits having two Circuit Judges composed of one County having a population of not less than 94,000 people nor more than 135,000 people according to the last or any subsequent Federal decennial census.

Also:

H. 557. Relating to counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; authorizing the payment of the salaries of certain employees of such counties on a semi-monthly basis.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

S. 56. To authorize the execution of, and to give advance approval to a compact between the State of Alabama and the State of Mississippi and any contiguous state, for the purpose of promoting the development of a navigable interstate waterway connecting the Tombigbee and the Tennessee Rivers; to establish a joint agency and other offices for the administration of the compact; and to make an appropriation.

Was taken up.

Mr. Robison offered the following amendment to the bill, to-wit:

Amend S. B. No. 56 by substituting the words and figures Fifty Thousand (\$50,000.00) in said bill wherever the words and figures One Hundred Thousand (\$100,000.00) appear therein.

On motion of Mr. Metcalf, the amendment was laid on the table.

Yeas 26; Nays 7.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Bradford	Engelhardt	Leonard	Smith
Calvin	Flowers	Little	Van Antwerp
Cantrell	Givhan	Metcalf	Vann
Cooper	Goodwin	Moses	Yarbrough (Randolph)
Davis (Pickens)	Grisham	Newton	—26

Nays:

Messrs.:	Davis (Lowndes)	James	Tate
Boutwell	Hall	Robison	Yarbrough (Autauga)
			—7

Messrs. Robison and Boutwell then offered the following amendment to the bill, to-wit:

Amend Section 5 of S. B. 56 by striking said Section and substituting the following:

"Section 5. This act shall become effective immediately upon its passage and approval by the Governor, and when the State of Mississippi makes an appropriation of at least an equal amount to carry out the purposes of this compact."

Which was adopted.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Roberts
Allen	Dyar	James	Robison
Boutwell	Eddins	Lamberth	Shelton
Bradford	Engelhardt	Leonard	Smith
Calvin	Flowers	Little	Tate
Cantrell	Givhan	Metcalf	Van Antwerp
Cooper	Goodwin	Moses	Yarbrough (Aulaga)
Davis (Lowndes)	Grisham	Newton	—30

Nays: Messrs. Skidmore and Yarbrough (Randolph) —2

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Smith
Bradford	Flowers	Little	Tate
Calvin	Givhan	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Aulaga)
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
Davis (Pickens)	James		—33

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Goodwyn:

H. 482. To make an additional appropriation to the State Board of Registration for Architects for the fiscal year ending September 30, 1957 from funds in the State Treasury to the credit of the State Board of Registration for Architects.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 482—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Hawkins and Dawkins:

H. 12. To make appropriations for the ordinary expenses, equipment purchases, and additions and betterments of the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 12—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Simon and Goodwyn:

H. 275. To amend Section 57 of Title 13 of the Code of 1940, as amended, relating to the salary of the Clerk of the Supreme Court of Alabama.

Also:

By Messrs. Simon and Goodwyn:

H. 274. To amend Section 62 of Title 13 of the Code of 1940, relating to the Reporter of Decisions of the Supreme Court and Court of Appeals.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 275 and 274—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 53. Relative to adjournment of the two Houses to meet again on Friday, July 12, 1957.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in session, has carefully examined the Journal of the Senate for the Eighteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Eighteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 5:15 P. M., on motion of Mr. Van Antwerp, pending further consideration of the bill, S. B. 119, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Friday, July 12, 1957, at 11 o'clock A. M.

NINETEENTH LEGISLATIVE DAY

FRIDAY, JULY 12, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Bruce Johnson, Pastor, Warm Springs Methodist Church, Warm Springs, Georgia.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 50. Extending sympathy to the widow and surviving members of the family of The Honorable William W. Garrett of Uriah, Alabama, a former member of the Legislature.

Also:

S. J. R. 52. Extending sympathy to the widow and surviving family of The Honorable Pugh Haynes, a former member of the Legislature.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 54. BE IT RESOLVED by the Senate that upon the call of the calendar and immediately following the unfinished business on the calendar for today, the following shall be the special, paramount and continuing order of business until disposed of:

1—Local Bills and general Bills with local application.

2—House Bill 143, page 27

3—House Bill 144, page 27

4—House Bill 145, page 18

Mr. Boutwell offered the following amendment to the Resolution, to-wit:

Amend Rules Committee Report (S. R. 54) by adding at the end thereof the following:

S. B. 9 Page 4

S. B. 214 Page 25

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Flowers:

S. 376. To fix the salary of the State Highway Director.

Committee on Finance and Taxation.

Also:

By Mr. Flowers:

S. 377. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196) is hereby amended to read as follows:

"Section 26. CORRUPT PRACTICES. (a) No person shall make any false statement, certificate, mark, rating or report with regard to any test, certification or appointment made under any provision of this Act or in any manner commit or attempt to commit any fraud preventing the impartial execution of the provision of this Act and the prescribed Rules and Regulations.

"(b) No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the Classified Service.

"(c) No employee of the Department or other person shall defeat, deceive, or obstruct any person in his right to an examination, eligibility, certification or appointment under the provisions of this Act, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any persons with respect to employment in the Classified Service.

"(d) No person shall be appointed or employed in any position in the Classified Service as defined in this Act in a department of the City if such person is related by blood or marriage within the fourth degree to the commissioner who is then in charge of such department or to the department head of such department. This provision shall not be construed to require the dismissal of any employee in said Classified Service, where, subsequent to his original employment in such service, the department head or commissioner of the department in which such employee is working may be related to such employee by blood or marriage within the fourth degree. The commission of any such corrupt practice shall constitute a misdemeanor and shall be punished in the manner provided by the general laws of the State."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Nat C. Faulk, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks with-

out cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, 25, July 2, and 9, all in the year 1957.

NAT C. FAULK.

Sworn to and subscribed before me July 10, 1957.

J. T. LANE, JR.,
Notary Public.

By Mr. Goodwin:

S. 378. To alter, rearrange, extend and fix the boundaries and limits of the City of Andalusia, in the State of Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Notice is hereby given that at the present regular session of the Legislature of Alabama, a bill in substance to alter, rearrange, extend and fix the boundaries and limits of the City of Andalusia, Covington County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other contiguous territory lying and being in Covington County, Alabama; all of which other territory is more particularly described as follows:

Northeast quarter (NE $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Eleven (11); Northeast quarter (NE $\frac{1}{4}$), Northwest quarter (NW $\frac{1}{4}$) and Southwest quarter (SW $\frac{1}{4}$) of Section Twelve (12); Northwest quarter (NW $\frac{1}{4}$) and Southwest quarter, (SW $\frac{1}{4}$) of Section Thirteen (13); Northeast quarter (NE $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Fourteen (14); Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-three (23); Northwest quarter (NW $\frac{1}{4}$) and Southwest quarter (SW $\frac{1}{4}$) of Section Twenty-four (24); Northwest quarter, (NW $\frac{1}{4}$), Southwest quarter (SW $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Twenty-five (25); Northeast quarter (NE $\frac{1}{4}$) and Northwest quarter (NW $\frac{1}{4}$) of Section Thirty-six (36); all in Township 4 North, Range 15 East; all of Section Five (5); Northwest quarter, (NW $\frac{1}{4}$) and Northeast quarter (NE $\frac{1}{4}$) of Section Seven (7); Northwest quarter (NW $\frac{1}{4}$) and Northeast quarter (NE $\frac{1}{4}$) of Section Eight (8); Northwest quarter (NW $\frac{1}{4}$), Northeast quarter (NE $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Nine (9); Northwest quarter (NW $\frac{1}{4}$) and Southwest quarter (SW $\frac{1}{4}$) of Section Fifteen (15); Northeast quarter (NE $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Sixteen (16); Northeast quarter (NE $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Twenty-one (21); Southwest quarter (SW $\frac{1}{4}$), Southeast quarter (SE $\frac{1}{4}$) and Northeast quarter (NE $\frac{1}{4}$) of Section Twenty-eight (28); Southwest quarter (SW $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Twenty-nine (29); Southwest quarter (SW $\frac{1}{4}$) and Southeast quarter (SE $\frac{1}{4}$) of Section Thirty (30); Northeast quarter (NE $\frac{1}{4}$) and Northwest quarter (NW $\frac{1}{4}$) of Section Thirty-one (31); and all of Section Thirty-two (32); all in Township 4 North, Range 16 East;

will be introduced and an effort made to have the same enacted into law.

PROOF OF PUBLICATION

STATE OF ALABAMA COVINGTON COUNTY

Personally appeared before me, the undersigned authority Ed Dannelly, Editor of The Andalusia Star-News who being duly sworn, says

that the attached Legal Notice of publication appeared in four successive issues of The Andalusia Star-News, a weekly newspaper published in said county, on the following dates: June 6, June 13, June 20 and June 27, 1957.

This the 27th day of June, 1957.

ED DANNELLY.

Sworn to and subscribed before me this 27th day of June, 1957.

LORA JONES,
Notary Public.

By Mr. Davis (Lowndes):

S. 379. Relating to Lowndes County: To authorize and empower the county board of education of Lowndes County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LOWNDES

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lowndes County: To authorize and empower the county board of education of Lowndes County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of education of Lowndes County, Alabama, may remove or terminate the contract of employment of any teacher in the public school system of the county, whether such teacher be on continuing service status or on a probationary appointment, at any time such action is deemed necessary to promote the best interest of the schools under the board's jurisdiction. The action of the board of education in regard to any such discharge shall be final and conclusive and shall not be subject to review or modification by any officer or agency, the provisions of Chapter 13, Title 52, Code 1940, as amended, to the contrary notwithstanding; provided, however, that no teacher shall be summarily dismissed under this Act, but shall be given a reasonable notice of the proposed action by the board and provided an opportunity to be heard.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LOWNDES

Before me, the undersigned authority in and for said County in said State, this day personally appeared Myra J. Chambliss, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was clerk of the Lowndes Signal, a newspaper of general circulation published in Lowndes County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1957.

MYRA J. CHAMBLISS.

Sworn to and subscribed before me July 12, 1957.

O. G. BRUNER,
Notary Public.

By Messrs. Engelhardt, Cooper, Hall, Eddins, and Davis (Pickens):

S. 380. To define the crime of barratry; to define certain terms; to prohibit barratry and to provide penalties for persons found guilty thereof; to prohibit aiding and abetting barrators; to authorize certain courts of record to enjoin barratry and to prescribe the officers who may bring suits therefor; to provide that conduct prohibited by the act shall constitute unprofessional conduct.

Committee on Judiciary.

By Messrs. Engelhardt, Cooper, Hall, Eddins, and Davis (Pickens):

S. 381. To amend Section 49 of Title 46, Code of Alabama 1940, which relates to the causes of removal of attorney.

Committee on Judiciary.

By Mr. Cantrell:

S. 382. To repeal the act approved May 26, 1953, entitled "An Act To provide for the speed of motor vehicles on the highways of this State; to make it a misdemeanor to violate the provisions hereof, and to provide for the punishment thereof" (Act No. 22, H. 1, 1953 Acts 25).

Committee on Judiciary.

By Mr. Cantrell:

S. 383. To abolish dower; repealing Chapter 3 of Title 34, Code of Alabama (1940).

Committee on Judiciary.

By Mr. Boutwell:

S. 384. To fix the fee and allowance of the Sheriff of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving a summons or other mesne process, except subpoenas for witnesses; repealing conflicting laws:

Committee on Local Legislation.

By Mr. Boutwell:

S. 385. To fix the fee and allowance of the Constables of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving any summons or other mesne process, except subpoenas for wit-

nesses, where the amount in controversy is Twenty Dollars (\$20) or more; repealing conflicting laws:

Committee on Local Legislation.

By Mr. Roberts:

S. 386. To provide for filing of suit against companies, partnerships, individuals, or corporations publishing newspapers or magazines in the State of Alabama.

Committee on Judiciary.

By Mr. Roberts:

S. 387. To regulate further the purchasing practices of counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Messrs. Metcalf, Cantrell, Yarbrough (Randolph), Tate, Davis (Lowndes), Yarbrough (Autauga), Skidmore, Smith, Allen, Lamberth, Givhan, Flowers, Moses, Goodwin, James, Roberts, Grisham, and Little:

S. 388. To make an appropriation for each of the fiscal years ending September 30, 1958 and September 30, 1959 to The Armory Commission of Alabama to be used in providing necessary armory facilities for Alabama National Guard and Air National Guard units, including the matching of Federal funds made available to the State for such purpose and including the improvement and equipping of armories therefor.

Committee on Finance and Taxation.

By Messrs. Vann and Engelhardt:

S. 389. Relating to the registration of voters; to provide further for questionnaires to be answered by applicants for registration, requiring the Supreme Court of Alabama to prescribe the form and content of such questionnaire annually, forbidding the adoption of identical questionnaires for consecutive years and authorizing the court to prescribe different questionnaires whenever it deems a change therein wise; to require applicants for registration to pledge that they had not received knowledge of the content of such questionnaire prior to being supplied the questionnaire by the board of registrars; and to prescribe penalties.

Committee on Judiciary.

By Messrs. Vann and Moses:

S. 390. To authorize the several counties of the state to expend the fees, excises, or license taxes referred to in Amendment 93 of the Constitution of Alabama 1901.

Committee on Finance and Taxation.

By Messrs. Lamberth, Cooper, Roberts, Moses, Davis (Pickens), Flowers, and Metcalf:

S. 391. To amend the act approved May 22, 1945, entitled "An Act To conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama" (Act No. 1, H. 46, 1945 General Acts 1).

Committee on Finance and Taxation.

RESOLUTIONS

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 55. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, July 16th, 1957.

On motion of Mr. Lamberth, the Rules were suspended and the resolution adopted by the Senate.

Messrs. James and Goodwin offered the following Senate Joint Resolution, to-wit:

S. J. R. 56. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING:

1. That the bridge across the Cahaba River at Centerville is hereby designated and shall be known as "The Howard Cooper Bridge," in honor of the late Wiley Howard Cooper, a former member of the Senate of Alabama, who represented the Eighteenth District with honor and distinction during the years 1914-18, 1930-34, 1938-42, and 1946-50.

2. That the State Highway Department is requested to erect at or affix to the aforesaid bridge appropriate placques or markers showing the name thereof as "The Howard Cooper Bridge."

On motion of Mr. James, the Rules were suspended and the resolution adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 553. To propose an amendment of the Constitution of Alabama, relating to the rate of interest on bonds issued under the provisions of an amendment to the Constitution proposed by Act No. 125, Acts of Alabama, 1956, p. 179, submitted November 6, 1956, and proclaimed ratified November 15, 1956 (Proclamation Record K, p. 107).

Was taken up.

Mr. James offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR H. B. 553

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama for the purpose of increasing the maximum rate of interest which may be borne by bonds that may be issued under the provisions of the amendment to the constitution that was proposed by Act No. 125 adopted at the First Special Session of the Legislature of 1956 and which was ratified by the electors on November 6, 1956, and to specify certain details pertaining to the said bonds.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed:

"Except as hereinafter limited, bonds which may be issued under the provisions of the amendment to the constitution which was proposed by Act No. 125 adopted at the First Special Session of the Legislature of

1956 and which was ratified by the electors at the general election held on November 6, 1956, and proclaimed ratified on November 15, 1956, may be executed and delivered from time to time in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal and interest or both with rights of conversion into another form, may bear interest at such rate or rates not exceeding 4% per annum payable semiannually and payable and evidenced in such manner, may contain provisions for redemption at the option of the state at such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other terms and conditions not inconsistent with the provisions hereof, all as may be provided in the order of the Governor providing for the issuance thereof which shall be made at the time of each sale of any of said bonds. The principal of each series of said bonds shall mature in annual installments in such amounts as shall be specified in the order under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series and the last of which installments shall mature not later than ten years after the date of the bonds of the same series. When each series of said bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during any then succeeding fiscal year of the state the aggregate installments of principal and interest that will mature on all of the said bonds that will be outstanding hereunder, immediately following the issuance of the bonds of that series, will be substantially equal; provided, that the determination in the order under which the bonds of such series are issued that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of the bonds with respect to which such determination is made and all subsequent holders thereof shall be fully protected thereby. None of the said bonds shall be sold for less than face value plus accrued interest to the date of delivery, and all of the said bonds shall be sold only at public sale or sales, either on sealed bids or at public auction, after advertisement in a financial journal published in New York City at least one time not less than ten days prior to the date fixed for the sale, to the bidder whose bid reflects the lowest net interest cost to the state computed to the respective maturities of the bonds sold; provided, that if no bid deemed acceptable by the Governor is received all bids may be rejected.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama of 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day herein appointed for the election in a newspaper in each county in the state. In each county in which no newspaper is published, a copy of said proclamation shall be posted at each county courthouse therein.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Bradford	Cooper	Eddins
Allen	Calvin	Davis (Lowndes)	Engelhardt
Boutwell	Cantrell	Davis (Pickens)	Flowers

Givhan	Lamberth	Reeves	Smith
Goodwin	Leonard	Roberts	Tate
Grisham	Metcalf	Robison	Yarbrough (Autauga)
James	Moses	Shelton	Yarbrough (Randolph)
Jones	Newton	Skidmore	—30
Nays:			—0

And said bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Lowndes)	James	Roberts	—30

Nays: —0

The Bill:

H. 423. To make an appropriation for the relief of Mrs. Mary R. Jarrell.

Was read a third time at length and passed.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Roberts
Allen	Eddins	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Shelton
Bradford	Flowers	Little	Skidmore
Calvin	Goodwin	Metcalf	Smith
Cantrell	Grisham	Moses	Tate
Cooper	Hall	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Reeves	Yarbrough (Randolph)

Nays: —0

The Bill:

H. 325. To amend Section 19 of Act No. 248 of the Legislature of Alabama of 1945, approved July 6, 1945, General Acts of Alabama of 1945, pages 376-400, as heretofore amended by Act No. 109 of the Legislature of Alabama of 1956, approved February 14, 1956, Acts of Alabama, Special Sessions, 1956, pages 165-166.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Moses
Allen	Givhan	Lamberth	Shelton
Boutwell	Goodwin	Leonard	Skidmore
Bradford	Grisham	Little	Smith
Calvin	Hall	Metcalf	Tate
Cantrell	James		
—21			

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 54. Relative to the death of The Honorable William W. Garrett, former member of both Houses of the Legislature.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 55. Relative to inviting the National Micro-Midget Association to hold its 1958 Championship race in Selma, Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Roberts and Reynolds:

H. 636. Relating to cities having a population of not less than 15,000 nor more than 17,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of offstreet automobile parking facilities in such cities; and providing for the creation of automobile parking agencies in and for such cities.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 636—To the Committee on Local Legislation

MOTION TO ADJOURN LOST

At 12:40 P. M., Mr. Engelhardt moved that the Senate do now adjourn until 12 o'clock Noon, Tuesday, July 16, 1957, which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Eddins	Hall	Newton
Cooper	Engelhardt	James	Shelton
Davis (Lowndes)	Givhan	Jones	Yarbrough (Autauga)
Davis (Pickens)	Goodwin	Little	—14

Nays:

Messrs.:	Cantrell	Leonard	Robison
Allen	Dyar	Metcalf	Skidmore
Boutwell	Flowers	Moses	Smith
Bradford	Grisham	Reeves	Yarbrough (Randolph)
Calvin	Lamberth	Roberts	—18

RESOLUTION

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 57. BE IT RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Justices of the Supreme Court of Alabama, or a majority of them, are hereby respectfully requested to give this body their written opinions on the following important constitutional questions which have arisen in connection with the pending bill, S. B. 329, a true copy of which is attached hereto and made a part hereof by reference:

Question 1. Would the Act proposed by the bill unlawfully discriminate among newspaper companies so as to violate any of their rights guaranteed by Article I of the Constitution of 1901?

Question 2. Would the Act proposed by the bill deny some newspaper companies the equal protection of the laws guaranteed by the Fourteenth Amendment of the Constitution of the United States?

Resolved further, that the Secretary of the Senate be directed to transmit forthwith four true copies of this resolution to the Clerk of the Supreme Court of Alabama.

Which was read and referred to the Standing Committee on Rules.

A BILL
TO BE ENTITLED
AN ACT

To provide for filing of suit against companies publishing newspapers with over 40,000 daily circulations in any county in the state of Alabama where said newspapers are circulated, delivered or sold—

Be It Enacted by the Legislature of Alabama:

Section 1. A newspaper company with a daily circulation in excess of 40,000 may be sued in any county where its newspapers are circulated, delivered or sold.

Section 2. Such newspaper company may be sued as provided in Section 1 hereof, by service of process upon an agent anywhere in the state.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to Senate Joint Resolution No. 44.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 12, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this resolution originated, Senate Joint Resolution No. 44, with the following suggested executive amendment:

Amend Senate Joint Resolution No. 44 by deleting from Line 2 of said resolution, the following words "Senate Bill 16" and substituting in lieu thereof the following words "House Bill 18".

I am returning this resolution with the full knowledge and consent and at the request of the author of said resolution.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate concurred in and adopted the Executive Amendment to the Resolution, S. J. R. 44, which said amendment is set out in the foregoing Message from His Excellency, the Governor.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Calvin	Givhan	Metcalf	Smith
Cantrell	Goodwin	Moses	Tate
Cooper	Hall	Newton	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar			—28

Nays:

—0

Which was a majority of the whole number elected to the Senate.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Board of Education.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 12, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your approval, the following as members of the State Board of Education:

Honorable Rankin Fite, Hamilton—From the Seventh District, for the term expiring October 1, 1959, succeeding T. A. Robinson, deceased.

Honorable J. P. Faulk, Jr., Samson—From the Third District, for the term expiring October 1, 1961.

Honorable J. J. Benford, Albertville—From the Fifth District, for the term expiring October 1, 1961.

Honorable Robert R. Locklin, Mobile—From the First District, for the term expiring October 1, 1961.

Honorable Chester Austin, Birmingham—From the Ninth District, succeeding Hon. Paul Snow, deceased, for the term expiring October 1, 1961.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the appointments of the following as members of the State Board of Education:

Honorable Rankin Fite
Honorable J. P. Faulk, Jr.
Honorable J. J. Benford
Honorable Robert R. Locklin
Honorable Chester Austin

Which said appointments are set out in the foregoing Message from His Excellency, The Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Alabama Educational Television Commission.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 12, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, VINCENT F. KILBORN, Mobile, as a member of the Alabama Educational Television Commission, for the term expiring June 25, 1967.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the appointment of Honorable Vincent F. Kilborn, as member of the Alabama Educational Television Commission, which said appointment is set out in the foregoing Message from His Excellency, The Governor.

STATE OF ALABAMA

Department of Archives and History
Montgomery 5, Alabama

June 25, 1957

The Honorable Senate of the
State of Alabama

Gentlemen:

At a recent meeting of the Board of Trustees of the Department of Archives and History, the below named members whose terms had expired, were re-elected for a term of six years:

L. B. Rainey, Gadsden, representing the 5th District
Walter Will Bankhead, Jasper, representing the 7th District
George Bliss Jones, Florence, representing the 8th District
Hugh Morrow, Birmingham, representing the 9th District

Please confirm these elections.

Respectfully,

PETER A. BRANNON, Director
Secretary, Board of Trustees.

B/vs

COMMUNICATION FROM BOARD OF TRUSTEES,
ARCHIVES AND HISTORY

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the elections of the following as members of the Board of Trustees of the Department of Archives and History:

Honorable L. B. Rainey
Honorable Walter Will Bankhead
Honorable George Bliss Jones
Honorable Hugh Morrow

Which said elections are set out in the foregoing Communication from the Board of Trustees of the Department of Archives and History.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 56. Relative to naming bridge across the Cahaba River at Centerville "The Howard Cooper Bridge".

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 55. Relative to adjournment of the two Houses to meet again on Tuesday, July 16th, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Nineteenth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Nineteenth Legislative Day was approved by the Senate.

ADJOURNMENT

At 1:15 P. M., on motion of Mr. Cooper, pending further consideration of S. B. 119 and S. R. 54, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday, July 16, 1957 at 12 o'clock Noon.

Yeas 20; Nays 11.

Yeas:

Messrs.:	Dyar	James	Newton
Bradford	Eddins	Jones	Shelton
Cantrell	Engelhardt	Leonard	Tate
Cooper	Givhan	Little	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Moses	Yarbrough (Randolph)
Davis (Pickens)			—20

Nays:

Messrs.:	Calvin	Metcalf	Robison
Allen	Flowers	Reeves	Skidmore
Boutwell	Lamberth	Roberts	Smith
			—11

TWENTIETH LEGISLATIVE DAY

TUESDAY, JULY 16, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Sam C. Shirah, Pastor, Frazer Memorial Methodist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday, the first of which was the resolution:

S. R. 54—Setting special orders.

The question was on the amendment to the resolution offered by Mr. Boutwell, which said amendment is set out at length in the Journal of the Senate of the Nineteenth Legislative Day.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Engelhardt:

S. 392. To propose an amendment to the Constitution of Alabama relating to the abolition of Macon County.

Committee on Local Legislation.

The above bill was read a first time at length as required by the Constitution.

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the resolution, S. R. 54. The question was on the amendment offered by Mr. Boutwell to the resolution.

RECESS

At 12:55 P. M., on motion of Mr. Eddins, pending further consideration of S. R. 54, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

TWENTIETH LEGISLATIVE DAY

TUESDAY, JULY 16, 1957

The Senate reassembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of the morning session which was the resolution:

S. R. 54—Setting special orders.

The question was on the amendment to the resolution offered by Mr. Boutwell.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 553. To propose an amendment to the Constitution of Alabama for the purpose of increasing the maximum rate of interest which may be borne by bonds that may be issued under the provisions of the amendment to the constitution that was proposed by Act No. 125 adopted at the First Special Session of the Legislature of 1956 and which was ratified by the electors on November 6, 1956, and to specify certain details pertaining to the said bonds.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolution with the original Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 56. Designating the Cahaba River bridge at Centerville as "The Wiley Howard Cooper Bridge", honoring the late Senator Cooper.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolution; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 553. To propose an amendment to the Constitution of Alabama for the purpose of increasing the maximum rate of interest which may be borne by bonds that may be issued under the provisions of the amendment to the constitution that was proposed by Act No. 125 adopted at the First Special Session of the Legislature of 1956 and which was ratified by the electors on November 6, 1956, and to specify certain details pertaining to the said bonds.

Also:

H. 423. To make an appropriation for the relief of Mrs. Mary R. Jarrell.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 325. To amend Section 19 of Act No. 248 of the Legislature of Alabama of 1945, approved July 6, 1945, General Acts of Alabama of 1945, pages 376-400, as heretofore amended by Act No. 109 of the Legislature of Alabama of 1956, approved February 14, 1956, Acts of Alabama, Special Sessions, 1956, pages 165-166.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Skidmore:

S. 393. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given that at the present session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO ALTER, REARRANGE AND EXTEND THE BOUNDARY LINES
OF THE CITY OF TUSCALOOSA, IN TUSCALOOSA COUNTY, ALA-
BAMA.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be changed and extended to include the following additional adjacent territory.

PARCEL I. Begin at the southwest corner of Section 30, Township 21 South, Range 9 West; thence eastwardly along the south line of said Section 30 a distance of six hundred forty-seven (647) feet to a point on the southwest corner of Brookhaven Subdivision which is a point on the present City Limits boundary; thence run northwardly along the present

city limits boundary a distance of four hundred two and four-tenths (402.4) feet to a point on the eastwest city boundary which point is also the northeast corner of Oak Hill Subdivision, a plat of which subdivision is recorded in Plat Book 6 at Page 5, in the office of the Probate Judge of Tuscaloosa County, Alabama; thence run westwardly along the present city limits boundary a distance of four hundred thirty-two and eighty hundredths (432.80) feet to a point; thence run northwardly along the present city limits boundary a distance of forty (40) feet to a point; thence with an interior angle of ninety-seven degrees and thirty-two minutes (97 degrees 32') run westwardly a distance of two hundred sixteen and thirty-eight hundredths (216.38) feet along the north line of said Oak Hill Subdivision and thence continue along an extension westwardly of the north line of Oak Hill Subdivision to a point on the west line of said Section 30; thence southwardly along the west line of said Section 30 to the point of beginning.

PARCEL II. A part of Section 17, Township 21 South, Range 9 West, in Tuscaloosa County, Alabama, described as follows: Beginning at a point, which point is the Southeast corner of the Southwest quarter of the Southeast Quarter (SW $\frac{1}{4}$ of the SE $\frac{1}{4}$) of said Section 17, said Southeast corner, being on the present City Limits line of the City of Tuscaloosa, Alabama; thence Northwardly to the Northeast corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) of said Section 17; thence Westwardly to the Northwest corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) of said Section 17; thence Southwardly along the West line of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) and the West line of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$) of said Section 17 to a point on the North line of First Street East; thence Eastwardly along the North line of First Street East to a point; which point is on the extension Northwardly of the East line of Twenty-ninth Avenue East; thence Southwardly along the East line and the extension Northwardly thereof, of Twenty-ninth Avenue East to the South line of the Lavelle Woods Subdivision; thence Westwardly along the South line, and the extension Westwardly thereof, of Lavelle Woods Subdivision to a point on the East line of the H. O. Pierson property; thence Southwardly to the Southeast corner of the H. O. Pierson property; thence Westwardly along the South line and the extension Westwardly thereof, of the H. O. Pierson property to a point on the West line of Twenty-fifth Avenue East, which point is on the present City Limits line; thence Southwardly along the West line of Twenty-fifth Avenue East and the present City Limits line to the South line of said Section 17, thence Eastwardly along the South line of said Section 17, and the present City Limits line to the point of beginning.

PARCEL III. Begin at the northwest corner of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 30, Township 21 South, Range 9 West, in Tuscaloosa County, Alabama; thence southwardly along said Northeast Quarter of the Southwest Quarter of the Northeast Quarter a distance of 550 feet to a point on the south margin of 20th Street East; thence eastwardly along the south margin of said 20th Street East (which line is parallel to and 50 feet south of the south line of the Resurvey of J. L. Ford Subdivision a plat of which is recorded in Plat Book 5 at Page 131 in the Office of the Probate Judge of Tuscaloosa County, Alabama, a distance of 678 feet to a point on the east line of the Southwest Quarter of the Northeast Quarter of said Section 30; thence northwardly along the east line of said Southwest Quarter a distance of 231.1 feet to the southwest corner of Lot 11 of the George W. Dockery, Jr., Subdivision a plat of which is recorded in Plat Book 6 at Page 135 in the Office of the Probate Judge of Tuscaloosa County, Alabama; thence eastwardly along the south line of said George W. Dockery, Jr., Subdivision, Tanglewood Drive Subdivision, a plat of which is re-

corded in Plat Book 6 at Page 146 in the Office of the Probate Judge of Tuscaloosa County, Alabama, and the Eastwardly extension thereof, a distance of 1,320.5 feet to a point on the east line of said Section 30; thence northwardly along the east line of said Section 30 a distance of 330 feet to the northeast corner of the Southeast Quarter of the Northeast Quarter of said Section 30; thence westwardly along the north line of said Southeast Quarter of the Northeast Quarter and along the north line of the Southwest Quarter of the Northeast Quarter of said Section 30 to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA TUSCALOOSA COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Tuscaloosa News, a newspaper of general circulation published in the City of Tuscaloosa, County of Tuscaloosa, State of Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22nd, June 29th, July 6th, and July 13th, all in the year 1957.

BUFORD BOONE.

Sworn to and subscribed before me on the 15th day of July, 1957.

LILLA COLLINS,
Notary Public.

By Mr. Reeves:

S. 394. To repeal Section 76 of Title 45, Code of Alabama of 1940, and to amend Section 144 of Title 45, Code of Alabama of 1940, as amended.

Committee on Judiciary.

RESOLUTIONS

Mr. Givhan offered the following Senate Joint Resolution, to-wit:

S. J. R. 58. WHEREAS the Legislature of the State of Alabama is determined to maintain and defend the Constitution of the United States and the Constitution of this State against every attempt, whether foreign or domestic, to undermine and destroy the fundamental principles embodied in the basic laws by which the liberty of the people and the sovereignty of the States in their proper spheres have been protected and assured; and

WHEREAS, the fight against the South by the Northeast did not begin with the firing on Fort Sumter, nor did it end at Appomattox. But it began in 1803 when a Southern president, Thomas Jefferson, negotiated the purchase of the Louisiana Territory, and this fight still continues; and

WHEREAS, in every war in which this nation has engaged except the War Between the States, the red heart of Dixie has been the first to

respond to the call. And we are proud of our Washington, Jackson, Taylor, Wheeler, Hobson and Bullard, and millions of their comrades, and we wonder what might have been the fate of this nation without their patriotic and heroic efforts; and

WHEREAS, this nation was founded by the people of the South for the most part. The oratory of Patrick Henry aroused the colonies to resistance; Jefferson wrote the Declaration of Independence; Washington commanded the army that won the victories and presided over the convention that framed our Constitution and became our first president. Each and every expansion of this nation on the continent of North America was under the leadership of Southern statesmen and in the face of vigorous opposition from the leaders of the Northeast and of New England, excepting the purchase of Alaska by Secretary Seward in 1867. Governor Patrick Henry of Virginia, during the war, sent George Rogers Clark, with a body of Virginia troops into the Northwest Territory lying northwest of Virginia and north of the Ohio River and extending to the Great Lakes, and he quickly scattered or captured the British garrisons in that area, and it became Virginia's property by right of conquest. Virginia generously ceded it to the Federal Government to induce the smaller States to approve the Constitution and come into the Union, and out of it were carved the States of Ohio, Indiana, Illinois, Michigan, and Wisconsin. Virginia ceded the territory from which came to be the State of Kentucky. Jefferson, with Monroe as his minister, negotiated the purchase from France of the Louisiana Territory from which 15 great States were carved, and representatives in Congress from Massachusetts vigorously opposed that purchase. Tyler of Virginia secured a settlement of the Oregon country with England which gave this nation a clear title to what is known as Oregon, Washington, and Idaho. Texas, California, New Mexico, and Arizona were acquired under the southern leadership of James K. Polk. It was during the administration of Tyler, a Virginia statesman, that the northeast boundary between Maine, New Hampshire, and Canada was satisfactorily settled. During all these years of growth and expansion under Southern leadership, the warfare upon the South which began at the time of the Louisiana Purchase was relentlessly waged by the New England States. The Negro was but an incident, and the Civil War an episode in a war that began with the Louisiana Purchase and is still being waged against us; and

WHEREAS, during the tragic era under the administration of U. S. Grant when the radical governor of Mississippi appealed to the president to send troops into Mississippi, the then Attorney General Poindexter advised the president that under Section Four of Article Four of the United States Constitution he had no right to do so without an application of the legislature of the State concerned; and

WHEREAS, these iniquitous and infamous Civil Rights bills now before the Senate would go further to hurt and ruin the South than even Grant would go during the tragic era; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING That the members of this body, individually and collectively, condemn the actions of some of the representatives of the great States of the Northeast, the Middlewest, and the West in their efforts to impose on the people of the South a measure that would deprive them of their liberty and deny them their common law rights; and we do hereby express our sincere thanks and grateful appreciation to the leaders who are fighting this iniquitous Civil Rights bill, from whatever section they may come, and of whatever party, and count them as patriots and lovers of liberty and constitutional government, along with the men who stood with Washington at Yorktown, Jackson at New Orleans, and Travis at the Alamo; and we especially commend and express our thanks to Alabama's Senators and Representatives in the Congress of

the United States for their stalwart stand, and urge them to continue their efforts to defeat these reprehensible measures.

Resolved further, that a copy of this resolution be sent to each member of Alabama's delegation in Congress, as well as to each of the following distinguished members of the Congress of the United States who have so ably expressed their views on the issues involved in the great controversy now pending:

Hon. Karl E. Mundt, of South Dakota;

Hon. Joseph C. O'Mahoney, of Wyoming;

Hon. Noah H. Mason, of Illinois.

On motion of Mr. Givhan, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 59. RESOLVED BY THE SENATE, That the House be requested to return to the Senate the bill, S. 330, for further consideration by the Senate; and Resolved further, that the Secretary be directed to advise the House of this request.

On motion of Mr. Roberts, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 60. RESOLVED BY THE SENATE, That the House be requested to return to the Senate the bill, S. 331, for further consideration by the Senate; and

Resolved further, that the Secretary be directed to advise the House of this request.

On motion of Mr. Roberts, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Lamberth offered the following Senate Resolution, to-wit:

S. R. 61. RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, That the Justices of the Supreme Court, or a majority of them, are hereby respectfully requested to give this body their written opinions on the following important constitutional questions which have arisen in connection with the pending bill, S. B. 360, a true copy of which is attached hereto and made a part hereof by reference:

Question 1. Does the bill propose a local, special or private law that would contravene Section 104 (6) of the Constitution of Alabama?

Question 2. Does the bill propose a local, special, or private law that would contravene subsection (17) of said Section 104?

Question 3. Does the bill propose a local, special, or private law that would contravene Section 104 (18) of said Constitution?

Question 4. Does the bill propose a local, special, or private law that would contravene subsection (20) of said Section 104?

Question 5. Does the bill propose a local, special, or private law that would contravene Section 93 of said Constitution?

Question 6. Does the bill propose a law that would be violative of Section 94 of said Constitution?

Question 7. Does the bill propose a law that would be violative of Section 105 of said Constitution?

Question 8. Does the bill propose a law that would contravene Section 89 of said Constitution?

Resolved further, that the Secretary of the Senate is hereby directed to transmit forthwith three duly authenticated copies of this resolution to the Clerk of the Supreme Court of Alabama.

Mr. Lamberth moved that the Rules be suspended and that the resolution be adopted by the Senate.

A BILL
TO BE ENTITLED
AN ACT

S. B. 360. Relating to the municipality of Alexander City in Tallapoosa County; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of offstreet automobile parking facilities in such city; and providing for the creation of an automobile parking agency in and for such city.

Be It Enacted by the Legislature of Alabama:

Section 1. Scope of act.—This act shall apply only in the municipality of Alexander City in Tallapoosa County.

Section 2. Definitions of types of parking facilities.—For the purposes of this act: (1) public offstreet automobile parking facilities are defined as accommodations provided by public authority for the parking of automobiles off the street or highway, and open to public use, with or without charge. Such facilities may be publicly owned and publicly operated, or they may be publicly owned and privately operated; (2) commercial offstreet automobile parking facilities are defined as accommodations provided by public authorities, private groups, or individuals for restricted use in connection with public improvements, particular businesses, theaters, hotels, and other private enterprises, or combinations thereof, or as adjuncts to housing developments or private residences. Such facilities may or may not be jointly established and operated; (4) cooperative offstreet automobile parking facilities are defined as accommodations provided by joint action of public and private interests. Parking facilities may consist of lots, garages, or other structures, and accessories; they may be surface facilities or facilities above or under the ground.

Section 3. Creation of automobile parking agency.—There is hereby created and established an automobile parking agency, answerable only to the governing body of the municipality, for the purpose of establishing public offstreet automobile parking facilities and of fostering the provision of commercial and special-purpose offstreet automobile parking facilities within the municipality of Alexander City. Within fifteen days after the effective date of this act the governing authority of the municipality of Alexander City shall appoint three persons who shall constitute the automobile parking agency. One of such persons shall hold office from the date of his appointment and qualification until the first Monday in April of the year next following his appointment, and until his successor is appointed and qualified; one of such persons shall hold office from the date of his appointment and qualification until the first Monday in April of the second year next after his appointment, and

until his successor is appointed and qualified; and one of such persons shall hold office from the date of his appointment and qualification until the first Monday in April of the third year next after his appointment, and until his successor is appointed and qualified. Each year hereafter the governing authority of the municipality shall appoint one person as the successor to the member of the automobile parking agency whose term expires that year. Such person so appointed shall hold office for a term of three years from the first Monday in April of said year, and until his successor is appointed and qualified. Vacancies on the automobile parking agency shall be filled by the governing authority of the municipality for the unexpired term. Any member of the agency whose term shall expire shall be eligible for reappointment. Two members of the agency shall constitute a quorum for the transaction of business. No person shall be eligible to membership on the automobile parking agency, unless such person, at the time of his appointment, is over twenty-five years of age, is an actual resident in and qualified elector of the municipality of Alexander City, and holds no office of profit under the State or any of its political subdivisions. Every person appointed to membership on the automobile parking agency must, within fifteen days thereafter, qualify by making oath that he is eligible for said office and will execute the duties of the same according to his best knowledge and ability. Such oath may be administered by any person authorized to administer oaths, and a copy thereof shall be filed with the city clerk. The members of the automobile parking agency shall choose a chairman and a vice-chairman from among their own number. The members of the agency shall hold such regular and special meetings as they may by rule or resolution prescribe. The members of the parking agency shall receive such compensation for their services as may be fixed by the governing body of the municipality.

Section 4. Authority to establish parking facilities.—The parking agency, acting alone or in cooperation with other parking agencies, or with any federal, state, or local agency, is hereby authorized to plan, design, locate, finance, acquire property for, construct, alter, enlarge, use, maintain, operate, lease (either as lessee or lessor), otherwise provide, or foster the provision of public, commercial, or special-purpose offstreet automobile parking facilities, wherever and to the extent that such facilities are deemed necessary or desirable within the municipality. Said parking agency may regulate, restrict, or prohibit the use of offstreet parking facilities in a manner consistent with the purpose for which such facilities are established.

Section 5. Planning for parking facilities.—The parking agency, after thorough investigation of the parking problem within the municipality, shall formulate, for public presentation, a master plan of automobile parking facilities, as a guide for the future provision of parking facilities, properly integrated with present and proposed traffic facilities, subject to alteration as necessary. A program of construction and methods of financing shall likewise be formulated. Planning for automobile parking facilities shall be reconciled, insofar as possible, with the overall master plan of the area. Provision of parking facilities under this act shall be properly integrated with the provision of parking facilities required by zoning ordinances, building codes, or subdivision regulations.

Section 6. Design of parking facilities.—The parking agency is authorized to so design and locate any offstreet automobile parking facility as to best serve the public purpose for which such facility is intended. Such facilities may consist of improved or unimproved lots, single or multilevel garages, other structures and accessories, or any combination of these features. They may be surface facilities or facilities above or under the ground.

Section 7. Financing of parking facilities.—The parking agency is hereby authorized, subject to specific authorization and approval of the governing body of the municipality of Alexander City to finance the planning, design, acquisition of property for, construction, alteration, enlargement, maintenance, or operation of parking facilities by any one or any combination of the following methods: (1) general obligation bonds within legal debt limitations, or revenue bonds solely out of revenue from parking facilities, in such amounts, at an interest rate, and upon conditions prescribed by the governing body of the municipality; (2) special or benefit assessments, equal to the total cost of land and improvements, or only a portion thereof, to be assessed against benefited property in proportion to benefit derived, to be paid in not to exceed 10 annual installments, at interest not to exceed six percent per annum. Such benefit assessments are to be determined in accordance with established state and local special assessment practice, after proper notice and hearing, subject to approval by the governing body of the municipality; (3) parking fees and special charges, to be levied at the discretion of the parking agency, derived from the use of offstreet parking facilities by motorists, lessees, concessionaires, or others. All such fees and charges shall be reasonable and shall be imposed only to further the purposes of this act; (4) general fund appropriations, to the extent deemed necessary or desirable; (5) state and federal grants and local aids, to the extent available for the provision of offstreet parking facilities; (6) parking meter revenues; (7) general property taxes within legal rate limitations; (8) gift, bequest, devise, grant, or otherwise.

Section 8. Acquisition of property and property rights.—For the purposes of this act, the parking agency is hereby authorized to acquire private or public, real or personal, property and property rights, above, at, or below the surface of the earth, necessary or desirable for offstreet automobile parking facilities, by purchase, condemnation, gift, lease, bequest, devise, or grant, in the same manner as the municipality is now or hereafter may be authorized by law to acquire such property or property rights in connection with highways or streets within its jurisdiction. Wherever possible, property acquired under the provisions of this act shall be in fee simple. Court proceedings necessary to acquire property or property rights for the purposes of this act shall take precedence over all other causes not involving the public interest in all courts, to the end that the provision of parking facilities may be expedited. Said parking agency may sell, encumber, lease, exchange, or otherwise dispose of property and property rights acquired hereunder if, by so doing, the interest of the public will be best served.

Section 9. Construction of parking facilities.—The parking agency is hereby authorized to construct or cause to be constructed public offstreet automobile parking facilities, above, at, or below the surface of the earth, including buildings, structures, equipment, entrances, exits, fencing, and all other accessories, necessary or desirable for the safety and convenience of motorists using the facilities. Construction may be undertaken by contract or by force account. Contracts exceeding one thousand dollars (\$1,000) are to be awarded to the lowest responsible bidder, after sealed, competitive bids have been received thereon following publication of notice thereof at least one time in a newspaper of general circulation in the county, such notice to be published at least 30 days before the date on which such bids are to be opened.

Section 10. Maintenance and operation of parking facilities.—The parking agency is hereby authorized to maintain and operate public offstreet automobile parking facilities or to contract therefor, or lease the same by competitive bidding to any individual, firm, or corporation, upon such terms and conditions as the public interest may warrant. Reasonable regulations for the orderly use of parking facilities may be prescribed by the parking agency, as well as a schedule of parking fees

and other charges. Necessary and qualified persons may be employed in the same manner as personnel is now or may hereafter be employed by the governing body of the municipality.

Section 11. Additional powers of parking agency.—The parking agency is hereby authorized to exercise all powers necessary or desirable to carry out the purposes of this act. In addition to the powers set forth in the preceding sections, such agency shall have the power to sue and be sued, and the power to be a party to a contract.

Section 12. Records and reporting.—The parking agency shall maintain proper accounting and financial records of all transactions, and provide annual financial statements. An annual report of activities shall be made by the parking agency to the governing body of the municipality.

Section 13. Authority of parking agency to consent.—The parking agency is authorized to enter into agreements with other parking agencies, or with the Federal Government, respecting the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, leasing, or fostering the provision of offstreet automobile parking facilities in the municipality of Alexander City, to facilitate the purposes of this act.

Section 14. Disposal of parking facilities.—If the parking agency has financed the acquisition, construction, enlargement, or alteration of such public offstreet automobile parking facilities through the issuance and sale of bonds, the parking agency, at any time when all of the bonds have been paid in full, both as to principal and interest, may sell or dispose of such public offstreet automobile parking facilities to any person, firm, or corporation, upon such terms and conditions as the public interest may warrant; provided that such facilities are disposed of at public sale, either at public auction or on the basis of sealed, competitive bids.

Section 15. Parking meters.—Exclusive control of the establishment, acquisition, maintenance, regulation, and operation of parking meters is hereby vested in the parking agency of the municipality of Alexander City. It shall be the responsibility of said agency to integrate properly the establishment, use, and regulation of parking meters with offstreet parking facilities, pursuant to a master plan as evolved under section 5 of this act. Enforcement of curb parking and parking meter regulations are hereby reserved to the police agencies of the municipality.

Section 16. Severability.—If any section, provision, or clause of this act shall be declared invalid or inapplicable to any person or circumstance, such invalidity or inapplicability shall not be construed to affect the portions not so held or persons or circumstances not so affected.

Section 17. Repealer.—All laws or portions of laws inconsistent with the policy and provisions of this act are hereby repealed to the extent of such inconsistency in their application to the provision of automobile parking facilities authorized by this act.

Section 18. Effective date.—This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO ADJOURN LOST

At 4:15 P. M., Mr. Yarbrough (Randolph) moved that the Senate recess until Tuesday, July 23, 1957 at 12 o'clock Noon, which motion was lost.

Yeas 13; Nays 15.

Yeas:

Messrs.:	Eddins	James	Tate
Cooper	Engelhardt	Little	Yarbrough (Autauga)
Davis (Pickens)	Givhan	Shelton	Yarbrough (Randolph)
Dyar	Hall		—13

Nays:

Messrs.:	Davis (Lowndes)	Jones	Reeves
Boutwell	Flowers	Lamberth	Robison
Calvin	Goodwin	Leonard	Skidmore
Cantrell	Grisham	Metcalf	Smith
			—15

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the resolution:

S. R. 61. Requiring Supreme Court opinion relative to S. B. 360.

The question was on the motion of Mr. Lamberth to suspend the Rules and to adopt the resolution.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twentieth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twentieth Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:35 P. M., on motion of Mr. Davis (Pickens), pending further consideration of S. R. 61, S. R. 54, and SB 119, the Senate adjourned until Tuesday, July 23, 1957 at 12 o'clock Noon.

Yeas 17; Nays 14.

Yeas:

Messrs.:	Eddins	Little	Tate
Cooper	Engelhardt	Newton	Van Antwerp
Davis (Lowndes)	Givhan	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Hall	Shelton	Yarbrough (Randolph)
Dyar	James		—17

Nays:

Messrs.:	Flowers	Lamberth	Robison
Allen	Goodwin	Leonard	Skidmore
Boutwell	Grisham	Metcalf	Smith
Calvin	Jones	Roberts	—14

TWENTY-FIRST LEGISLATIVE DAY

TUESDAY, JULY 23, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert Calvert, Graduate, Southern Baptist Theological Seminary, Louisville, Kentucky.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Callahan, Boyd, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Shumate, Broadfoot, Harrison and Tyson:

H. 454. To amend Section 266 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' records of injuries under the workmen's compensation law and reports to the department of industrial relations.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Callahan, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Boyd, Broadfoot, Harrison, Tyson, and Shumate:

H. 455. To amend Section 299 of Title 26, Code of Alabama 1940, as amended, the same relating to lump sum payments of benefits under the workmen's compensation law.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Callahan, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Boyd, Broadfoot, Harrison, Tyson and Shumate:

H. 456. To amend Section 285 of Title 26, Code of Alabama 1940, as amended, the same relating to the expenses of burial under the workmen's compensation law.

Also:

By Messrs. Hawkins, Selman, Hanby, Dement, Callahan, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Boyd, Broadfoot, Harrison, Tyson, Shumate:

H. 457. To amend Section 279 of Title 26, Code of Alabama 1940, as amended, the same relating to the schedule of compensation under the workmen's compensation law.

Also:

By Messrs. Hawkins, Dement, Selman, Hanby, Callahan, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Boyd, Broadfoot, Harrison, Tyson, and Shumate:

H. 458. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

Also:

By Messrs. Hawkins, Selman, Hanby, Dement, Callahan, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Boyd, Broadfoot, Harrison, Tyson and Shumate:

H. 459. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

Also:

By Messrs. Hawkins, Selman, Hanby, Dement, Simon, Callahan, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Shumate, Boyd, Broadfoot, Hodges, Harrison and Tyson:

H. 460. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Callahan, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Shumate, Boyd, Broadfoot, Hodges, Harrison and Tyson:

H. 461. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Callahan, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Shumate, Boyd, Broadfoot, Hodges, Harrison and Tyson:

H. 462. To amend Section 304 of Title 26 of the 1940 Code of Alabama to provide that the trial of cases arising under the Workmen's Compensation Act shall be governed by the same rules and statutes as govern the trial of civil cases between the same parties.

Also:

By Messrs. Hawkins, Selman, Hanby, Dement, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Callahan, Boyd, Broadfoot, Tyson, Harrison and Shumate:

H. 463. To amend Section 221 of Title 26, Code of Alabama 1940, the same relating to court appeals in unemployment compensation cases.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Callahan, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Hodges, Boyd, Shumate, Broadfoot, Tyson and Harrison:

H. 464. To amend Section 204 of Title 26, Code of Alabama 1940, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Boyd, Callahan, Broadfoot, Hodges, Tyson, Harrison and Shumate:

H. 465. To amend Section 207 of Title 26, Code of Alabama 1940, as amended, the same relating to weekly unemployment benefit amounts.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Callahan, Boyd, Broadfoot, Hodges, Tyson, Harrison and Shumate:

H. 466. To amend Section 216 of Title 26, Code of Alabama 1940, as amended, the same pertaining to Determinations under the Alabama Unemployment Compensation Law.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Callahan, Boyd, Broadfoot, Hodges, Tyson, Harrison and Shumate:

H. 467. To repeal Section 210 of Title 26, Code of Alabama 1940, the same relating to seasonal employment under the Alabama Unemployment Compensation Law.

Also:

By Messrs. Hawkins, Hanby, Dement, Selman, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Boyd, Callahan, Shumate, Broadfoot, Harrison, Hodges, Tyson, Steagall and Payne:

H. 468. To amend Sections 197, as amended, 199, and 248, as amended, of Title 26, Code of Alabama 1940, the same dealing respectively with the Unemployment Compensation Trust Fund, withdrawals from the Unemployment Compensation Trust Fund and the Employment Security Administration Fund, all pertaining to the Unemployment Compensation Law.

Also:

By Messrs. Hawkins, Selman, Hanby, Dement, Simon, Brassell, Mathison, Speaks, Gist, Vacca, Albea, Payne, Steagall, Callahan, Boyd, Broadfoot, Hodges, Harrison, Tyson and Shumate:

H. 469. To amend Section 202 of Title 26, Code of Alabama 1940, as amended, the same relating to contributions by employees under the Alabama Unemployment Compensation Law.

Also:

By Messrs. Martin, Branyon, and Ramey:

H. 539. To provide the sum of \$50,000, in addition to all other sums heretofore provided, for the payment of awards by the Board of Adjustment made during the fiscal year ending September 30, 1957.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468 and 469—to the Committee on Judiciary

H. B. 539—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Thomas, Roberts, and Cornett:

H. 497. To amend Act No. 193, approved July 16, 1953, (General Acts of 1953, Page 247) entitled: "An Act Relating to insurance: to adopt uniform individual accident and sickness policy provisions, and to repeal all laws in conflict herewith."

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 497—to the Committee on Insurance

MOTION TO RECESS LOST

At 1:00 P. M., Mr. Engelhardt moved that the Senate take a recess until 2:30 this afternoon, which motion was lost.

Yeas 11; Nays 14.

Yeas:

Messrs.:	Eddins	Hall	Reeves
Cooper	Engelhardt	Little	Shelton
Davis (Pickens)	Givhan	Newton	Tate

—11

Nays:

Messrs.:	Dyar	Roberts	Van Antwerp
Boutwell	Flowers	Robison	Yarbrough (Autauga)
Calvin	Lamberth	Skidmore	Yarbrough (Randolph)
Davis (Lowndes)	Moses	Smith	

—14

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Summerlin:

H. 207. To amend further Section 104 of Title 51, Code of Alabama (1940), which relates to meetings of boards of equalization.

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 120. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Simon and Tyson:

H. 121. To amend Section 11 of an act heretofore adopted by the Alabama State Legislature for 1956, which such act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956 so that the period at the end of said Section 11 shall be changed to a semicolon and following such semicolon the following words and figures shall be added to said Section 11: 'Provided, that the word 'consecutive' years, as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise qualified from obtaining credit for consecutive years of service by reason of any leave of absence or other temporary non employment as an employee of the City, if such leave of absence or other non employment shall be approved by the City Council of the City of Prichard.'

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that there will be introduced for passage at The Alabama State Legislature for 1957 a local bill which will be in substance as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 11 of an Act heretofore adopted by the Alabama State Legislature for 1956, which such Act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956, by striking from the end of said Section 11 the period appearing there and substituting therefor a colon, after which said colon the following words and figures shall appear: 'Provided, that the word 'Consecutive', as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise entitled to participate in the municipal employees pension and relief fund from obtaining credit for consecutive years of service by reason of any leave of absence from employment with the City of Prichard, if such leave of absence shall be approved by the City Council of the City of Prichard.'

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 11 of an Act adopted by the Alabama State Legislature for 1956, which such Act bears the number 107 and was approved by the Governor of Alabama on the 14th day of February, 1956, shall be and the same is hereby amended by striking the period at the end of said Section 11 and substituting a colon therefor, and that after said colon the following words and figures shall appear: 'Provided, that the word 'consecutive' as used in said Section 11 shall not be construed to the effect that any employee of the City of Prichard, otherwise entitled to participate in the municipal employees pension and relief fund shall be penalized or shall have taken from him or her any length of service with the City of Prichard by reason of him or her having obtained a leave of absence or otherwise been temporarily out of the employ of the City of Prichard, and such leave of absence, or other non-employment of said employee shall be approved by the City Council of the City of Prichard.'

Section 2. This Act shall take effect immediately upon passage and approval by the Governor or by its otherwise becoming a law.

G. V. DISMUKES, Mayor.

Attest:

BERNIECE H. CENTANNE,
City Clerk.

The Citizen: March 21, 28; April 4, 11, 1957

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said State and County, personally appeared Dan Sharp who, being by me first duly sworn, did depose and say as follows:

My name is Dan Sharp. I am Publisher of The Citizen, a newspaper printed and published in the City of Prichard, County of Mobile, State of Alabama, and have the authority to make this affidavit. I further certify that the attached publication was duly made in The Citizen in its issues of March 21, 28, April 4, and April 11, 1957 and that the attached copy is a true and correct copy of the notice as the same appeared in said issues of said newspaper.

DAN SHARP.

Sworn to and subscribed before me on this the 23rd day of April, 1957.

BERNIECE H. CENTANNE,
Notary Public, Mobile County, Ala.

My Commission Expires 7-22-58

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 125. To fix the supplemental salaries of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges; and to repeal Act No. 21, H. 74, approved May 26, 1955.

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 127. To amend Section 1 of an act approved August 3, 1955, entitled "An Act To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges," (Act No. 210, H. 699, Acts of 1955, Vol. I, p. 515).

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 128. Relating to Mobile County: To amend further Sections 1 and 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To amend further Sections 1 and 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Be It Enacted by the Legislature of Alabama:

Sections 1 and 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "an Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerk, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," as amended, are amended further to read as follows:

"Section 1. The salary or compensation of the Sheriff of Mobile County, Alabama, shall be twelve thousand dollars (\$12,000) per annum, which shall be paid out of the County Treasury of Mobile County, Alabama, in equal monthly installments at the end of each month, upon warrants drawn in the same manner as other officers and employees of Mobile County, Alabama."

"Section 3. The Sheriff of Mobile County, Alabama, may, after the effective date of this act, employ the following assistants at the following rate of compensation, viz: One (1) chief deputy sheriff to receive six thousand four hundred dollars (\$6,400) per annum; one assistant chief deputy sheriff to receive five thousand four hundred dollars (\$5,400) per annum; not less than eight (8) civil and criminal deputy sheriffs to receive not less than fifteen hundred dollars (\$1,500) each per annum; one (1) civil and criminal deputy sheriff, who shall also act as bailiff of the Inferior Court of Mobile County, Alabama, to receive not less than fifteen hundred dollars (\$1,500) per annum; three (3) part-time deputy sheriffs

to receive not less than six hundred dollars (\$600) each per annum; not less than four (4) jail guards to receive not less than fifteen hundred dollars (\$1,500) each per annum; one chief clerk to receive five thousand four hundred dollars (\$5,400) per annum; one (1) office employee to receive not less than eighteen hundred dollars (\$1,800) per annum; two (2) office employees to receive not less than fifteen hundred dollars (\$1,500) each per annum; one (1) office employee to receive not less than nine hundred dollars (\$900) per annum; one (1) jail matron to receive not less than one thousand dollars (\$1,000) per annum; one (1) kitchen steward to receive not less than nine hundred dollars (\$900) per annum. Each of the foregoing assistants shall receive their compensation in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County. The power and authority to fix the salaries of each and every assistant herein provided for above the minimum amounts named in this section is hereby conferred on the Personnel Board of the Civil Service System of Mobile County, Alabama; and all assistants affected hereby, except the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be subject to all the terms and provisions of the Civil Service Act relating to Mobile County, said act having been passed at the 1939 Session and being House Bill No. 952 and having been approved September 15, 1939; provided, however, that the chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk, shall be qualified electors of Mobile County at the time of their appointment and during their continuance in office. The chief deputy sheriff, the assistant chief deputy sheriff, and the chief clerk shall each give bond in an amount to be determined by the Sheriff, such bond to be conditioned as prescribed by law. Nothing herein contained shall be construed as depriving the Personnel Board of the Civil Service System of Mobile County, Alabama, of authority to provide additional assistants for the Sheriff of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

JOHN M. TYSON
OTTO E. SIMON

Press Register, March 31, April 7, 14, 21

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, Register Mar 31 Apr 7. 14. 21 1957

W. M. CURRAN.

Sworn to and subscribed before me This 6th day of May 1957

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon and Murphy:

H. 408. To amend Section 6 of an act approved June 30, 1955, entitled "An Act To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to oper-

ate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board" (Act No. 105, S. 152, Acts of Alabama, 1955, Vol. I, p. 350).

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 594. To amend Act No. 40, S. 4, approved March 23, 1956 (Acts of Alabama, 1956, p. 328), entitled "An Act To establish and create a court of record for Mobile County in lieu of the Inferior Criminal Court of Mobile County to be known as The Court of General Sessions of Mobile County; to provide and define the jurisdiction of said court and the terms thereof; to provide for the two judges and the officers of said court and their powers, duties and compensation, to fix the term of office of such judges; to provide rules of procedure and to fix the fees and costs of such court; to provide for the transfer of cases from the Inferior Criminal Court to the court hereby created; and to effect the repeal of the acts creating the Inferior Criminal Court of Mobile or to abolish the Inferior Criminal Court of Mobile County."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 40, S. 4, approved March 23, 1956 (Acts of Alabama, 1956, p. 328), entitled "An Act To establish and create a court of record for Mobile County in lieu of the Inferior Criminal Court of Mobile County to be known as The Court of General Sessions of Mobile County; to provide and define the jurisdiction of said court and the terms thereof; to provide for the two judges and the officers of said court and their powers, duties and compensation, to fix the term of office of such judges; to provide rules of procedure and to fix the fees and costs of such court; to provide for the transfer of cases from the Inferior Criminal Court to the court hereby created; and to effect the repeal of the acts creating the Inferior Criminal Court of Mobile or to abolish the Inferior Criminal Court of Mobile County."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 40, S. 4, approved March 23, 1956 (Acts of Alabama, 1956, p. 328), entitled "An Act To establish and create a court of record for Mobile County in lieu of the Inferior Criminal Court of Mobile County to be known as The Court of General Sessions of Mobile County; to provide and define the jurisdiction of said court and the terms thereof; to provide for the two judges and the officers of said court and their powers, duties and compensation, to fix the term of office of such judges; to provide rules of procedure and to fix the fees and costs of such court; to provide for the transfer of cases from the Inferior Criminal Court to the court hereby created; and to effect the repeal of the acts creating the Inferior Criminal Court of

Mobile or to abolish the Inferior Criminal Court of Mobile County," is amended to read as follows:

"Section 2. Upon enactment of this Act, the incumbent judge of the Inferior Criminal Court shall be immediately commissioned by the Governor as one of the judges of the Court of General Sessions, and such incumbent so commissioned by the Governor shall become the presiding judge of the Court of General Sessions, to hold office until the first Monday after the second Tuesday in January, 1961, at which time his elected successor shall take office. The Governor shall also after the enactment of this Act appoint some competent person who is a qualified elector and who is learned in the law to be and act as the other judge of said court until his successor is elected and takes office in 1961. The incumbent judge of the Inferior Criminal Court shall be the presiding judge of the Court of General Sessions until the first Monday after the second Tuesday in January, 1961. Thereafter, or if any vacancy occurs in the office of presiding judge before said date, the judge having seniority in judicial service in said court, shall be the presiding judge of said court."

Section 2. Section 6 of said Act No. 40, S. 4, approved March 23, 1956, is amended to read as follows

"Section 6. All prosecutions instituted in the Court of General Sessions of Mobile County shall be begun by affidavit and warrant. All trials in the Court of General Sessions shall be by the judge without a jury, and the judge shall determine the law and the facts. If, however, a defendant demands a trial by jury, the case shall not be tried in the Court of General Sessions; and the defendant must be required to enter into bond with good sureties, conditioned for his appearance at the next session of the circuit court to answer the charge. If any such defendant fails to give such bond, he must be committed to the county jail until the next session of the circuit court. In cases tried in the Court of General Sessions, the defendant, if convicted, shall have the right to appeal to the next ensuing session of the circuit court, on entering into bond, with sufficient sureties, in such sum as the court may require, conditioned that he will appear at the court to which the appeal is taken, until discharged by due process of law. If the defendant fails to make such bond, he shall be confined in the county jail until tried. Except as otherwise provided herein, all pleading and procedure in the Court of General Sessions, in criminal cases, shall be regulated the same as in the county courts as provided by Chapter 6, of Title 13, Code of Alabama (1940)."

Section 3. Section 14 of said Act No. 40, S. 4, approved March 23, 1956, is amended to read as follows:

"Section 14. The presiding judge of the Court of General Sessions shall appoint a clerk of the court. The clerk shall be appointed without regard to the county merit or civil service system, and shall serve at the will and pleasure of the presiding judge of the said court. He shall be paid an annual salary of five thousand seven hundred dollars, in equal monthly installments, from the general fund in the county treasury."

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Otto E. Simon.

Register, May 20, 27, June 3, 10.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 20, 27, June 3, 10, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 10th day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 595. To regulate primary and general elections of Judges of The Court of General Sessions of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate primary and general elections of Judges of The Court of General Sessions of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. That in all primary and general elections of Judges of The Court of General Sessions of Mobile County each of the judgeships to be filled in such primary and general election shall be designated by number according to the seniority in service of the existing incumbents in said court. If there be no such seniority in service the judgeship held by the presiding judge of said court shall be numbered judgeship number one and the other judgeship shall be numbered judgeship number two.

Section 2. Every candidate for such office shall in the announcement of his candidacy in either the primary or general election designate the number of the judgeship for which he is a candidate and the ballots of such election shall be numbered accordingly.

Section 3. Should any word, phrase, clause, section or part of this act be held to be unconstitutional by any court of competent jurisdiction it shall not affect the remainder of this act.

Section 4. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Otto E. Simon.

Register, May 20, 27, June 3, 10.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published

in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register May 20, 27, June 3, 10, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 10th day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 596. To regulate further costs and charges of courts in Mobile County, prohibiting any court in Mobile County from taxing as costs in any proceeding held therein any mileage fee or other such travel allowance provided sheriffs under general law for personal service of a summons or other process.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To regulate further costs and charges of courts in Mobile County, prohibiting any court in Mobile County from taxing as costs in any proceeding held therein any mileage fee or other such travel allowance provided sheriffs under general law for personal service of a summons or other process.

Be It Ordained by the Legislature of Alabama:

Section 1. After the effective date of this Act, no court in Mobile County shall have power to tax as costs in any proceeding held therein any mileage fee or other such travel allowance provided sheriffs under general law (Sec. 19 of Title 11, Code 1940, as amended) for the service of a summons or other process by delivery to a person; nor shall any mileage fee or other such travel allowance be charged or collected by the sheriff of Mobile County for such service of any summons or other process.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Otto E Simon
John A. Murphy

Press Reg. May 12, 19, 26, June 2.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, Register May 12, 19, 26, June 2, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 2nd day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon, Murphy, and Tyson:

H. 597. For the relief of Joseph L. Morrison, by the payment to him of the sum of \$250.00 to enable him to pay the expense or cost to him of the services of a private physician in the treatment of him for injuries sustained on or about December 10, 1954 while in the employ of Mobile County and then and there engaged in the line and scope of his employment with Mobile County; to provide that said sum shall be payable by Mobile County from its General Funds and that this act shall be effective immediately upon its becoming a law.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

For the relief of Joseph L. Morrison, by the payment to him of the sum of \$250.00 to enable him to pay the expense or cost to him of the services of a private physician in the treatment of him for injuries sustained on or about December 10, 1954 while in the employ of Mobile County and then and there engaged in the line and scope of his employment with Mobile County; to provide that said sum shall be payable by Mobile County from its General Funds and that this act shall be effective immediately upon its becoming a law.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated and ordered paid to Joseph L. Morrison, as hereinafter provided, the sum of Two Hundred Fifty Dollars (\$250.00) to cover and pay the cost or expense heretofore necessarily incurred by the said Joseph L. Morrison for the treatment by a private physician of the injuries sustained by him on or about December 10, 1954 while in the employ of Mobile County and then and there engaged in the line and scope of his duties and employment with Mobile County.

Section 2. Said sum shall be appropriated and paid to said Joseph L. Morrison from the General Fund of Mobile County, Alabama on the warrant hereby authorized and directed to be drawn thereon by the Board of Revenue and Road Commissioners of Mobile County, which

warrant the Treasurer of Mobile County is hereby directed and required to honor and pay.

Section 3. This act shall be effective upon its passage and approval, or its otherwise becoming law.

Otto E. Simon.

Register, May 20, 27, June 3, 10.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 20, 27, June 3, 10, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 10th day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon, Tyson and Murphy:

H. 598. To provide for the appointment of bailiffs by the judges of the Court of General Sessions of Mobile County, to fix their compensation and to provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the appointment of bailiffs by the judges of the Court of General Sessions of Mobile County, to fix their compensation and to provide for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Each judge of the Court of General Sessions of Mobile County created by an act approved March 23, 1956, is authorized and empowered to appoint, without regard to the county merit or civil service system, one bailiff for the court. Each bailiff appointed shall hold office at the will and pleasure of the judge who appoints him, and shall be paid an annual salary of not more than Forty-Five Hundred Dollars, to be fixed by the judge. The compensation of such bailiff shall be paid from the county treasury on the certificate of the appointing judge showing that the bailiff had performed the duties assigned to him.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Otto E. Simon.

Register, May 20, 27, June 3, 10.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register May 20, 27, June 3, 10, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 10th day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon, Murphy and Tyson:

H. 623. To authorize the governing body of any city or town in any county in Alabama, having a population of more than 225,000 but not more than 500,000 inhabitants according to the last or any subsequent federal decennial census, to abandon certain parks, and providing for the vesting of title to the lands forming such park after such abandonment.

Also:

By Messrs. Simon, Tyson, and Murphy:

H. 639. Relating to Mobile County: To fix the compensation of the register of the circuit court of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County: To fix the compensation of the register of the circuit court of Mobile County:

Be It Enacted by the Legislature of Alabama:

Section 1. The register of the circuit court of Mobile County shall receive a salary of \$7,200 dollars (\$7,200) per annum, which shall be paid in equal monthly installments out of the treasury of Mobile County. The compensation herein provided for the register of the circuit court of Mobile County shall be in lieu of all other compensation heretofore prescribed or provided by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective upon the expiration of the term of the incumbent register of the circuit court.

Otto E. Simon
John M. Tyson

Press Reg., March 31, April 7, 14, 21.

W. F. Egan being sworn, says that he is Asst. Auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register March 31, April 7, 14 & 21, 1957.

W. F. EGAN.

Sworn to and subscribed before me this 24th day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon, Tyson and Murphy:

H. 642. Relating to Mobile County: To fix the compensation of the clerk of the circuit court of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County: To fix the compensation of the clerk of the circuit court of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the circuit court of Mobile County, Alabama, shall be entitled to an annual salary of seven thousand two hundred dollars (\$7,200), which shall be paid in equal monthly installments out of the general fund in the county treasury. The compensation herein provided for the clerk shall be in lieu of all other compensation heretofore prescribed or provided for by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective at the beginning of the term of office of the clerk of the circuit court who is elected in 1958.

OTTO E. SIMON.
JOHN M. TYSON.

March 31, April 7, 14, 21

W. F. Egan being sworn, says that he is Asst. Auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published

in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register March 31, April 7, 14 & 21, 1957.

W. F. EGAN.

Sworn to and subscribed before me This 24th day of June, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Mr. Fite:

H. 665. To prescribe a rule of procedure in the circuit court of any county in the Twenty-fifth Judicial Circuit of Alabama relative to the joinder of necessary parties.

Also:

By Messrs. Hall, Dawkins and Nolen:

H. 666. To fix the supplemental salary of the Deputy Circuit Solicitors of the Fifteenth Judicial Circuit of Alabama to provide that said supplemental salaries shall be paid out of the general fund of Montgomery County, Alabama, and to provide when said act shall go into effect.

Also:

By Messrs. Dawkins, Goodwyn, Nolen and Hall:

H. 667. To amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees.

Also:

By Messrs. Dawkins, Hall, Goodwyn and Nolen:

H. 668. Further regulating the terms of service and compensation of the members of boards of equalization in counties having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Selman and Shumate:

H. 673. To abolish the City Court of Jasper established by an Act approved March 29th, 1911, and to create and establish in lieu thereof, and in lieu of all justices of the peace and notaries public with powers of justices of the peace, in Precinct One of Walker County, an inferior court to be known as the Court of Common Pleas of Walker County; defining the jurisdiction and powers of said Court and the Judge thereof; providing for officers of said Court and for their compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the City Court of Jasper established by an act approved March 29th, 1911 and to create and establish in lieu thereof, and in lieu of all justices of the peace and notaries public with powers of justices of the peace, in Precinct One of Walker County, an inferior court to be known as the Court of Common Pleas of Walker County; defining the jurisdiction and powers of said Court and the Judge thereof; providing for officers of said Court and for their compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established for Precinct 1 of Walker County Precinct lying partly within the City of Jasper, a city of more than 8,000 population, an inferior court in lieu of all justices of the peace in said precinct, and in lieu of the inferior court known as the City Court of Jasper, established by an act approved March 29th, 1911. Said inferior court shall be known as the Court of Common Pleas of Walker County. The City Court of Jasper is hereby abolished.

Section 2. The Court of Common Pleas of Walker County and the judge thereof shall have and exercise all the jurisdiction, power, and authority, and shall perform all the duties that are now or may hereafter be conferred by law on justices of the peace in civil and criminal cases, and such preliminary jurisdiction as is now or may be hereafter conferred by law on justices of the peace. The judge of said Court shall have authority to take affidavits and issue warrants in all cases provided by law for justices of peace; the judges of said court may issue warrants returnable to every other court in Walker County, Alabama, having final jurisdiction thereof.

Section 3. Said Court shall have preliminary jurisdiction in all felony cases committed in said county that is now or may be hereafter conferred by law upon justices of the peace.

Section 4. The said Judge, in addition to all authorities provided in this act, shall have also such additional authority and power as may be necessary for the maintenance and exercise of the jurisdiction herein granted and invested in said inferior court, and in his absence or disqualification, the said judge shall appoint, in writing a special judge who shall have full power for and in place of the regular judge.

Section 5-A Officers of the Court. The judge currently serving as judge of the City Court of Jasper shall be the first judge of the Court hereby created, and shall serve as such judge until the expiration of the term for which he was elected judge of the City Court of Jasper and until his successor is elected and qualified. At the general election held in November, 1960, preceding the expiration of the term of office of the first judge of the court, a judge shall be elected by the qualified electors of Precinct One, Walker County, and every four years thereafter, to hold office from the first Monday after the second Tuesday in January thereafter following, and until his successor is elected and qualified. The judge shall have been a resident citizen of Walker County for two years and Precinct Number One for one year next preceding his election, and shall be at least twenty-five years of age.

Section 5-B. The judge of said court, before performing any of the duties of office, shall take the oath of office as prescribed by the Constitution and laws of the State of Alabama for justices of the peace, and enter into bond, with sureties, in the sum of two thousand dollars, which bond shall be approved by the judge of probate of Walker County and

which oath and bond shall be filed and recorded in the office of such judge of probate.

Section 5-C. That in case of vacancy caused by death or otherwise in the office of judge of said inferior court, the governor shall appoint his successor to fill out the unexpired term and until his successor shall have been duly elected and qualified.

Section 5-D. The circuit solicitor for the judicial circuit embracing Walker County shall have authority to appear for and represent the State in the court in any case in which the State is interested.

Section 5-E. That the constable of said Precinct Number One and the Sheriff of said county shall be officers of said court, and shall execute and return the processes of said court, and for their services shall receive the compensation now provided by law for like services in a justice of the peace court.

Section 6. That the fees of said judge shall be the same as now or may be hereafter allowed by law in the courts of the justices of the peace in this State.

Section 7. That said inferior court, known as Court of Common Pleas of Walker County, shall be held and the office of the judge shall be kept in the courthouse of Walker County in the City of Jasper, and said court shall be open at all times for the disposition of business of the court, and the judge of said court shall designate on the docket of the court a certain day of each week for holding regular terms of court, and may continue in session until the business of the court is disposed of, provided that the judge of said court may call a special term of said court whenever in his judgment it is deemed best.

Section 8. The governing body of Walker County shall provide a suitable place in the courthouse for the holding of said court, and for the transaction of its business, and furnish all the books, stationery, papers and other materials which may be necessary for the operation and maintenance of the court.

Section 9. The offices of justices of the peace and notaries public with powers of justices of the peace, in said Precinct One Walker County, are hereby abolished. Immediately after the effective date of this enactment the judge of the City Court of Jasper shall deliver his dockets, official papers and records of all kinds, to the judge of the Court of Common Pleas of Walker County, and all causes pending in said court shall be, by such delivery, transferred to the Court hereby established, and subsequent proceedings in said causes shall be had in said Court of Common Pleas as though they had originally been brought in said court; execution or other appropriate process for the collection of judgments rendered before the transfer of the causes may be issued by the court hereby established, and all fees and costs accruing before the transfer shall be paid, on collection, to the parties to whom they were payable but for such transfer.

Section 10. That the practice in the said inferior court shall conform to the practice and rules of procedure of the courts of the justices of peace, except every plaintiff in said cause of action shall file, or cause to be filed, a written complaint of his cause of action.

Section 11. That such office shall be considered a county office within the meaning of the election and other laws of Alabama.

Section 12. If any section or provision of this act shall be declared unconstitutional, it shall not affect or destroy the validity or constitu-

tionality of any other section or provision thereof which is not in and of itself void or unconstitutional.

Section 13. All laws or parts of laws which conflict with this act are repealed.

Section 14. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Alonzo Shumate
T. K. Selman
Member House of
Representatives

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6th, June 13th, June 20th, and June 27th, all in the year 1957.

BILL JONES.

Sworn to and subscribed before me June 27, 1957.

LATHAM G. SADLER,
Notary Public.

Also:

By Messrs. Shumate and Selman:

H. 674. Relating to Walker County: To authorize the City of Jasper to convey certain property to Walker College, Incorporated.

Also:

By Messrs. McClendon and Hunt:

H. 561. To validate, in certain cases, industrial development boards attempted to be organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Legislature of Alabama, as amended, and invalid because of any irregularity in the procedure for incorporation.

Also:

By Messrs. Haltom, Davis, Martin, Harvey, Locke (Choctaw), Wood, Holliman, Bassett, Kirkham, Killough, Taylor, Goodwyn, Edwards (Escambia), Stenbridge, DeSear, Broadfoot, Money, Gist, Lee (Lawrence), Roberts, Reynolds, Gregory, Selman, Shumate, Branyon, Dement, Huddleston, Brown (Lamar), Hawkins, Steagall, Ward, Hall, Mathison, Law, Kelly, Windle, Edwards (Jefferson), Vacca, Nice, Hunt, Jenkins, Cox, Locke (Perry), Ramey, Pirkle, Hodges, Dickson, Nolen, Brooks, Johnson (Tallapoosa), Burkhalter, Johnson (Elmore), Ferrell, Ashworth, Fite and Lackey:

H. 252. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of

waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 207—to the Committee on Finance and Taxation

H. B.'s 120, 121, 125, 127, 128, 408, 594, 595, 596, 597, 598, 623, 639, 642, 665, 666, 667, 668, 673, and 674—to the Committee on Local Legislation

H. B. 561—to the Committee on Judiciary

H. B. 252—to the Committee on Constitution and Constitutional Revision and Amendments

(The above numbered bill was read at length as required by the Constitution.)

MOTION TO RECESS LOST

At 1:30 P. M., Mr. Van Antwerp moved that the Senate take a recess until 3:30 this afternoon, which motion was lost.

Yeas 11; Nays 18.

Yeas:

Messrs.:	Eddins	James	Reeves
Allen	Engelhardt	Jones	Shelton
Cooper	Givhan	Little	Van Antwerp

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Nays:

Messrs.:	Dyar	Metcalf	Skidmore
Boutwell	Flowers	Moses	Smith
Calvin	Grisham	Newton	Yarbrough (Autauga)
Cantrell	Lamberth	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Leonard	Robison	

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Haltom, Davis, Martin, Harvey, Locke (Choctaw), Wood, Holliman, Bassett, Kirkham, Killough, Taylor, Goodwyn, Edwards (Escambia), Stembridge, DeSear, Broadfoot, Gist, Money, Lee (Lawrence), Roberts, Reynolds, Gregory, Selman, Shumate, Branyon, Dement, Huddleston, Brown (Lamar), Hawkins, Steagall, Ward, Hall, Mathison, Law, Kelly, Windle, Vacca, Edwards (Jefferson), Nice, Hunt, Jenkins, Cox, Locke (Perry), Ramey, Pirkle, Hodges, Dickson, Nolen, Brooks, Johnson (Tallapoosa), Burkhalter, Johnson (Elmore), Ferrell, Ashworth, Fite and Lackey:

H. 253. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every

kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$3,000,000 and to incur indebtedness not exceeding in aggregate \$3,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$3,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the payment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and to provide an effective date of this Act.

And ordered same sent forthwith to the Senate without engrossment.
OAKLEY MELTON, JR.,

Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 253—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Hawkins:

H. 570. To make an additional appropriation, out of any funds in the State Treasury not otherwise appropriated, for the fiscal year ending

September 30, 1959, in the amount of \$105,000.00 to the Department of Finance, Division of Control and Accounts, to be expended for "other expenses".

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 570—to the Committee on Finance and Taxation

RECESS

At 2:00 P. M., on motion of Mr. Flowers, the Senate took a recess until 3:15 this afternoon.

AFTERNOON SESSION

TWENTY-FIRST LEGISLATIVE DAY

TUESDAY, JULY 23, 1957

The Senate reassembled at 3:15 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

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MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Killough, Boyd, Bassett, Goodwyn, Kendall, Nolen, and Taylor:

H. 289. To prescribe a method of making gifts of securities and money to minors and of regulating the management and control of such gifts during the minority of the donees thereof.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 289—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 171. To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as "The Water Works and Sewer Board Employees' Pension and Relief Fund"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payments for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof.

Also:

S. 301. To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Windle and Davis:

H. 148. Relating to revenue; amending Section 585 of Title 51, Code of Alabama (1940), which prescribes the license tax for operators of saw mills, heading mills, and stave mills.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 148—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 42. To Amend Section 151 of Chapter 8 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 206 of Acts of the 1943 Session of the Legislature, and as amended by Act No. 418 of the 1951 Regular Session of the Legislature.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Albea, Ashworth, Vacca, Ferrell, Dement, Tyson, Adams (Jefferson), Simon, Kendall, Murphy, Oden, Haltom, deGraffenried, Edwards (Escambia), Harrison, Brown (Lamar), Broadfoot, Hodges, Lee (Lawrence), and Perry:

H. 288. To amend further Section 630 of Title 7, Code of Alabama (1940), which relates to the exemption of wages from garnishment or other process for the collection of debts.

Also:

By Messrs. Callahan, deGraffenried, Nice, Brown (Lamar), Huddleston, Ramey, Speaks, Vacca, Branyon and Dement:

H. 724. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 288—to the Committee on Judiciary

H. B. 724—to the Committee on Education

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Callahan and deGraffenried:

H. 518. To amend Section 9 of the act approved September 2, 1949 entitled "An Act Relating to public health; to regulate, through licensure, hospitals, sanatoria, rest homes, nursing homes, and related institutions; and providing penalties for the violation of this Act" (Act No. 530, H. 635, Acts of Alabama 1949, p. 835).

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 518—to the Committee on Public Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

H. 589. To authorize each county in Alabama to sell and issue from time to time interest bearing warrants or certificates of indebtedness for the purpose of erecting necessary public buildings, bridges and roads; to provide that such warrants and certificates of indebtedness shall be payable as to both principal and interest solely out of the proceeds of the special one-fourth of one per centum annual road, bridge and public building indebtedness ad valorem tax authorized by Section 215 of the Constitution of Alabama of 1901 to be levied by each county in the state; to require the pledging of such special tax for payment of such warrants and certificates of indebtedness; to specify the effect and priority of each such pledge; to authorize the refunding of any such warrants and certificates of indebtedness; to provide that any such warrants and certificates of indebtedness shall be legal investments for trust funds; to provide that the issuance of any such warrants or certificates of indebtedness, and the interest coupons applicable thereto, shall constitute the audit and allowance of claims against said special tax; to provide that no warrant need issue for any such certificates of indebtedness or for any interest coupons applicable thereto; and to provide that the provisions of this act shall control the provisions of any inconsistent law.

Also:

By Messrs. Stembridge, Davis, Oden, Branyon and Dement:

H. 390. To amend Section 613 of Title 51, Code of Alabama (1940), which relates to the license on Vending Machines.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 589—to the Committee on Judiciary

H. B. 390—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 150. To amend Section 11 of an act heretofore adopted by the Alabama State Legislature for 1956, which such act is numbered 107 and was approved by the Governor of Alabama on the 14th day of February, 1956 so that the period at the end of said Section 11 shall be changed to a semicolon and following such semicolon the following words and figures shall be added to said Section 11: 'Provided, that the word 'consecutive' years, as the same is herein referred to shall not be construed to prevent a regular employee of the City of Prichard who is otherwise qualified from obtaining credit for consecutive years of service by reason of any leave of absence or other temporary non employment as an employee of the City, if such leave of absence or other non employment shall be approved by the City Council of the City of Prichard.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Van Antwerp, the Senate concurred in and adopted the following House Amendment to the Bill, S. B. 150, the title of which is set out in the foregoing Message from the House, to-wit:

SUBSTITUTE FOR S. B. 150

A BILL TO BE ENTITLED AN ACT

To amend Section 11 of an act approved February 14, 1956, creating and providing for the City of Prichard a special fund to be known as "The Municipal Employees Pension and Relief Fund" (Act No. 107, H. 150, 1956 Acts 154).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 11 of an act approved February 14, 1956, creating and providing a special fund for the City of Prichard to be known as "The Municipal Employees Pension and Relief Fund" (Act No. 107, H. 150, 1956 Acts 154) is hereby amended to read as follows:

"Section 11. Any employee of the City of Prichard, except as herein otherwise provided, who has been in the service of the City for as long as twenty (20) consecutive years and who is then employed by the City, upon his or her making application to the City Council shall be retired from service as an employee without medical examination or disability. Any employee who has been in the service of the City for as long as twenty (20) consecutive years and whose employment has been terminated prior to his making application for retirement from services as an employee shall be entitled to make application for retirement as an employee without medical examination or disability as if he were yet an employee of the City provided such application is made in writing to the City Council of the City of Prichard within sixty (60) days from the date his employment was terminated, and be entitled to the benefits

accorded by this Act. In the event of the discharge, without just cause, of any permanent employee who has served as many as ten (10) continuous years, such person shall, upon reaching the retirement age, as the case may be, be entitled to and receive from the fund a sum equal to two and one-half percent (2½%) of his or her annual compensation at the time of his or her discharge, or two and one-half percent (2½%) of the average annual compensation of such employee over the past five (5) calendar years, whichever shall be greater, for each year or major fraction thereof that said employee shall have served at the time of dismissal. Upon retirement in the manner provided by this Act, the said City Council shall direct the payment of such retiring person monthly, from the fund a sum equal to one-half (½) of the compensation or salary received by such retiring person as salary in the service of employment of said City at the time of his or her retirement or termination; or an amount equal to fifty percent (50%) of the average compensation of such employee over the past five (5) calendar years, whichever shall be the greater, provided, however, that such payments to said retired person shall not commence or be effective until said person has attained the age of fifty-five (55) years; provided, that the word 'consecutive' as used in this section shall not be construed to the effect that any employee of the City of Prichard otherwise entitled to participate in a municipal employees pension and relief fund shall be penalized or shall have taken from him or her any length of service with the City of Prichard by reason of him or her having obtained a leave of absence or otherwise been temporarily out of the employ of the City of Prichard, and such leave of absence, or other non-employment of said employee shall be approved by the City Council of the City of Prichard."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Newton	Tate
Allen	Flowers	Reeves	Van Antwerp
Bradford	James	Shelton	Vann
Cooper	Jones	Skidmore	Yarbrough (Autauga)
Davis (Lowndes)	Little	Smith	Yarbrough (Randolph)
Davis (Pickens)	Metcalf		

—21

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 16, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

There is before your body for its second reading Senate Bill 294 repealing Act 539. This bill was passed by the 1953 Legislature and approved on September 9, 1953.

Act 539 is a bill that endangers the value of every life insurance policy issued in Alabama. In the past, Alabama has had an outstanding national reputation as an insurance state. Today Alabama is the third ranking state in the nation in the number of domestic, home office insurance companies. Alabama must maintain its reputation as a sound insurance state and insure to the world that every policy issued under the laws of the State of Alabama shall be safe and sound down through the years.

Therefore, I ask unanimous consent of the Senate for the second reading of Senate Bill 294.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, the Governor, relative to Senate Bill 294 was read and ordered spread upon the Journal.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Alabama Institute for the Deaf and Blind.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 23, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, HONORABLE W. L. BAKER, Talladega, Alabama, as a member of the Board of Trustees of the Alabama Institute for the Deaf and Blind, for the term expiring November 28, 1962.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Leonard, the Rules were suspended and the Senate confirmed the appointment of Honorable W. L. Baker as a member of the Board of Trustees, Alabama Institute for Deaf and Blind, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Corrections of Alabama.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 23, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, HONORABLE WILLIAM A. MITCH, Birmingham, as a member of the Board of Corrections of Alabama, for the term expiring July 17, 1965, succeeding Honorable Peter Vredenburg, deceased.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Boutwell, the Rules were suspended and the Senate confirmed the appointment of the Honorable William A. Mitch as a member of the Board of Corrections of Alabama, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Davis (Lowndes), Allen, Leonard, Engelhardt, Boutwell, Givhan, Lamberth, Eddins, Cooper, Little, Smith, Yarbrough (Randolph), Cantrell, Yarbrough (Autauga), Calvin, Skidmore, Newton, Reeves, Tate, Robison, Hall, Van Antwerp, Jones, Bradford, Goodwin, James, Dyar, Grisham, Davis (Pickens), Vann, Moses, Metcalf, Flowers, Shelton and Roberts:

S. 395. To amend Act No. 201, Regular Session 1955, with respect to the assignment and placement of pupils in the public schools; to establish and regulate the procedure for hearings by boards of education with respect to the operation of public schools; to authorize the Attorney General to render advice and assistance to local boards of education; to provide that boards of education shall exercise judicial functions with respect to hearings upon the assignment of pupils; to limit the liability of school boards, officials and employees in the exercise of their official responsibilities; to reenact Act No. 201, Regular Session 1955, in all respects except as amended hereby.

Committee on Education.

By Messrs. Bradford, Yarbrough (Autauga), Newton, Engelhardt, Yarbrough (Randolph), Calvin, Jones, Vann, Cantrell, Little, Smith, Leonard, Hall, Robison, Flowers, Boutwell, Reeves, Tate, Givhan,

Cooper, Eddins, Van Antwerp, James, Goodwin, Davis (Lowndes), Grisham, Allen, Skidmore, Roberts, Lamberth, Dyar, Davis (Pickens), Moses, Shelton and Metcalf:

S. 396. To preserve domestic tranquility, and good order and efficiency in public educational institutions, and to avoid disorder and potential violence within the State by providing for the closing of public schools under certain conditions; to provide assistance for certain children for whom proper public school facilities are not available, and to provide for the transfer or reassignment of teachers and other employees of closed public schools.

Committee on Education.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Hawkins and Thomas:

H. 571. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Medical Center in Birmingham.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time at length as required by the Constitution and referred to appropriate Standing Committee, as follows:

H. B. 571—to the Committee on Constitution and Constitutional Revision and Amendments

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bills:

S. 78. To regulate further the office of circuit solicitor of the Ninth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in law enforcement and in the conduct of his office.

Also:

S. 305. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

S. 312. To provide further for purging the lists of registered voters in Cullman County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; requiring the beat committeemen or other members of political parties organized in Cullman County to serve as clerks of the board of registrars in connection with the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

S. 315. To amend further Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners."

Also:

S. 321. To amend an Act, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners," approved October 19th, 1932, as amended by Act No. 295, Acts of The Regular Session of 1943, approved June 28, 1943.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 58. Relative to commending the Alabama Senators and Representatives in the Congress of the United States for their stalwart stand and urging them to continue their efforts to defeat these reprehensible measures; and expressing appreciation to members of Congress of the United States who have so ably expressed their views on the issues involved in the great controversy now pending.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Law and Johnson (Elmore):

H. 688. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that upon completion of the publication of this notice, and after thirty (30) days from the date of the first publication hereof and at the present session of the Legislature of Alabama, application will be made to the Legislature of Alabama for the passage and approval of a certain bill relating to Elmore County, in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County: To provide for a Clerk in the office of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1. The Clerk of the Circuit Court of Elmore County, Alabama, is hereby authorized to employ a clerk, if in his judgment it is necessary to the proper functioning of his office, said clerk to serve at the will and pleasure of the Clerk of the Circuit Court of Elmore County, Alabama. The Clerk of the Circuit Court of said County shall fix the salary of such Clerk at Fifteen Hundred (\$1500.00) Dollars per annum.

Section 2. The salary of said clerk appointed as hereinbefore provided shall be paid out of the General Fund of Elmore County, Alabama, in equal monthly installments of One Hundred Twenty-five (\$125.00) Dollars per month, said payments to be made by warrant drawn by the Court of County Commissioners of Elmore County, Alabama.

Section 3. Should any clause, sentence, paragraph, part or section of this act be invalid, such invalidity shall not affect, impair or invalidate the remainder of this Act.

Section 4. All laws, general, local and special, in conflict herewith, are hereby repealed insofar as they conflict herewith.

Section 5. This act shall become effective on the first day of the month next succeeding its passage and approval, or its otherwise becoming a law. 6June4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Golson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1957.

W. H. GOLSON.

Sworn to and subscribed before me 8 July, 1957.

ELAINE HOLLY.
Notary Public.

Also:

By Messrs. Law and Johnson (Elmore):

H. 689. Relating to Elmore County: Authorizing and directing the Court of County Commissioners of the County of Elmore to pay to James E. Johnson the sum of One Hundred Fifty (\$150.00) Dollars out of the general fund of Elmore County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that upon completion of the publication of this notice, and after thirty (30) days from the date of the first publication hereof and at the present session of the Legislature of Alabama, application will be made to the Legislature of Alabama for the passage and approval of a certain bill relating to Elmore County, in substance as follows:

A BILL TO BE ENTITLED AN ACT

Relative to Elmore County: Authorizing and directing the Court of County Commissioners of the County of Elmore to pay to James E. Johnson the sum of One Hundred Fifty (\$150.00) Dollars out of the general fund of Elmore County, Alabama.

Whereas, on or about November 4, 1955, James E. Johnson was in the employ of the County of Elmore, driving a truck for said County, and while engaged in said duty was involved in an automobile accident wherein an automobile belonging to one E. L. Evans was damaged, and

Whereas, by reason of said accident demand was made upon the said James E. Johnson personally to account for said damages, and he paid out of his own funds the sum of One Hundred Fifty (\$150.00) Dollars in compromise thereof, and

Whereas, as a matter of equity and good conscience, his employer, the County of Elmore, should pay for said damages and reimburse the said James E. Johnson,

Now Therefore:

Be It Enacted by the Legislature of Alabama:

Section 1. That the Court of County Commissioners, the governing body of the said County of Elmore, is hereby authorized, empowered and directed to pay to the said James E. Johnson, out of the general fund of said County, the sum of One Hundred Fifty (\$150.00) Dollars, to reimburse him for the amount paid out by reason of the facts set out in the foregoing preamble.

Section 2. That upon the passage and approval of this act, or its otherwise becoming a law, the said James E. Johnson may present his claim for the foregoing amount, whereupon the said governing body of Elmore County shall approve the same and the Judge of Probate shall issue a warrant, in the form now provided for all claims against the County from the general fund of said County. 6june4t

THE STATE OF ALABAMA ELMORE COUNTY

Before me the undersigned authority personally appeared W. H. Golson, who by me first being duly sworn deposes and says that he is the Publisher of The Wetumpka Herald, a weekly newspaper published at Wetumpka, in Elmore County, Alabama, and that the attached notice Notice: A Bill to be entitled An Act Authorizing and directing the Court of County Commissioners of the County of Elmore to pay to James E. Johnson \$150.00. was published in said newspaper for 4 successive weeks to wit: June 6, 13, 20, 27, 1957.

W. H. GOLSON.
Publisher of, The Wetumpka Herald.

Sworn to and subscribed before me this the 5 day of July, 1957.

ELAINE HOLLEY,
Notary Public.

Also:

By Messrs. Holliman and Kirkham:

H. 698. To alter, rearrange, extend, and establish the boundary lines and corporate limits of the Town of Linden, Marengo County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF INTENTION TO APPLY FOR LOCAL LAW

The following bill will be introduced at the 1957 session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Linden in Marengo County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary and corporate limits of the City of Linden in Marengo County, Alabama, are hereby altered, rearranged and extended so that all of the lands embraced within the following boundaries are within the corporate limits of such municipality:

Commencing at the NW corner of the NE $\frac{1}{4}$ of Section 5, Township 15, Range 3 East, thence N to the NW corner of the NE $\frac{1}{4}$ of of Section 32, Tp. 16, Range 3 E., thence E to the NE corner of said Sec. 32, Tp. 16, R. 3 E., thence S to the NW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 33, Tp. 16, R. 3 E., thence E to the NE corner of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 33, Tp. 16, R. 3 E., thence S to the NW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 33, Tp. 16, R. 3 E., thence E 1980 feet to the NE corner of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Tp. 16, R. 3 E., thence S 1320 feet to the SE corner of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 33, Tp. 16, R. 3 E., thence E to the NE corner of Sec. 4, Tp. 15, R. 3 E., thence S to the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 4, Tp. 15, R. 3 E., thence E to the NE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 3, Tp. 15, R. 3 E., thence S to the SE corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 3, Tp. 15, R. 3 E., thence W 660 feet; thence N 486 feet parallel with the N and S Section line; thence W. 660 feet; thence N along the Section line between Sec. 3 and 4, for a distance of 367 feet; thence North parallel with the North and South Section line between Sections 3 and 4 for a distance of 467 feet to the North line of the SE $\frac{1}{4}$ of said Section 4; thence West to the NE corner of the SW $\frac{1}{4}$ of Section 4, Tp. 15 N., Range 3 E., thence South to the SE corner of the SW $\frac{1}{4}$ of said Section 4; thence West along the South line of said Section 4 to the SE corner of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 4; thence South along the $\frac{1}{4}$ Section line dividing the West half and the East half, of the West half of Sec. 9, Tp. 15, Range 3 East, to the SE corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 9; thence West to the SW corner of the N $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8, Tp. 15, Range 3 East; thence North along the $\frac{1}{4}$ Section line dividing the East half of the East half of said Section 8 to the NW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 8; thence West along the North line of said Section 8 to a stake 750 feet West of the NW corner of the NE $\frac{1}{4}$ of said Section 8; thence North parallel to the $\frac{1}{2}$ mile section line (N & S) of Section 5, for a distance of 2640 feet; thence East parallel to the

North line of said Section 5, 750 feet to the NW corner of the SE $\frac{1}{4}$ of said Section 5; thence North along the $\frac{1}{2}$ mile Section line to the NW corner of the NE $\frac{1}{4}$ of Section 5, Tp. 15 North, Range 3 East; the point of the beginning; all of which lands in this above stated description are located in Townships 15 and 16 North, Range 3 East, Marengo County, Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 6, 13, 20, 27-c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. E. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Democrat-Reporter, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1957.

R. E. SUTTON.

Sworn to and subscribed before me June 28, 1957.

R. L. LOFTIN,
Notary Public,
State-at-Large, Alabama.

Also:

By Mr. Fite:

H. 699. Proposing an amendment to the Constitution relating to Marion County.

Also:

By Messrs. Simon and Murphy:

H. 704. To regulate further the office of the Judge of Probate of Mobile County; authorizing and empowering the Judge of Probate to create and establish divisions for the performance and function of duties of his office, to assign functions and duties to such divisions and to delegate certain powers to the Chiefs of such divisions; which act appears in Acts of Alabama of 1955 at pages 335 and 336, approved June 28, 1955.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

TO AMEND SECTION ONE OF AN ACT ENTITLED AN ACT RELATING TO MOBILE COUNTY:

To regulate further the office of the Judge of Probate of said County; authorizing and empowering the Judge of Probate to create and establish divisions for the performance and function of duties of his office, to assign functions and duties to such divisions and to delegate certain powers to the Chiefs of such divisions; which act appears in Acts of Alabama of 1955 at pages 335 and 336, approved June 28, 1955.

Be It Enacted by the Legislature of Alabama:

THAT AN ACT ENTITLED AN ACT RELATING TO MOBILE COUNTY: To regulate further the office of the Judge of Probate of said County; authorizing and empowering the Judge of Probate to create and establish divisions for the performance and function of duties of his office, to assign functions and duties to such divisions and to delegate certain powers to the Chiefs of such divisions; which act appears in Acts of Alabama of 1955 at pages 335 and 336, approved June 28, 1955, be amended by amending Section One to read as follows:

SECTION ONE. The Judge of Probate of Mobile County may, in his discretion, create and establish such administrative divisions in his office as he may determine necessary or convenient in the efficient expeditious performance of the functions and duties of his office. He may assign functions and duties to such divisions, and may delegate to the chiefs thereof such powers as he may deem proper. The Judge may re-assign functions and duties as between existing divisions. The chiefs of such divisions shall be appointed by the Judge of Probate and shall serve at his pleasure but shall not be related to him by blood or by marriage. The salary of the chief of any such division shall be not more than Fifty-four Hundred (\$5400.00) Dollars per annum, except the salary of the chief clerk of the Recording Division which shall be not more than Six Thousand (\$6,000.00) Dollars per annum, to be paid in equal installments as the salaries of other County employees are paid. The chiefs of divisions provided for in this Act shall be in addition to any other clerks or assistants heretofore provided by law or approved and designated as such by the Mobile County Personnel Board. The Probate Judge may, in his discretion, abolish or discontinue any position existing in his office, including the office of chief clerks of the Probate Court of Mobile County, presently provided for by Statute, upon the establishment of provisions as provided for in this Act, but no such position shall be abolished without his approval.

SECTION TWO, This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

OTTO E. SIMON.

Register, May 20, 27, June 3, 10

Wm. M. Curran being sworn, says that is is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The The Mobile Register May 20.27 June 3.10 1957

W. M. CURRAN.

Sworn to and subscribed before me This 10th day of June 1957

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Simon and Tyson:

H. 705. To amend Sections 2 and 3 of Act No. 344, S. 10, approved August 1, 1951 (Acts of Alabama, 1951, Vol. 1, p. 632), entitled "An Act to provide for the assessment of ad valorem taxes on real and personal property in counties having a population of not less than 225,000 nor more than 400,000 inhabitants according to the last or any succeeding Federal Census; to provide for the claiming of statutory exemptions on such property; and to provide penalties for failure to comply with the provision of this Act."

Also:

By Messrs. Simon and Tyson:

H. 706. To amend Section 62 of Title 51, Code of Alabama, (1940), which relates to the condensed statements of all assessments required to be entered by tax assessors in assessment books, or in lists arranged alphabetically and bound, by exempting the tax assessor in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census, from the requirement of computing and entering opposite the name of each taxpayer the aggregate amount of state, county and special taxes with which such taxpayer is charged.

Also:

By Messrs. Simon and Tyson:

H. 707. To authorize the tax assessor in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census, to use a type of paper commonly known as "onion skin" in the preparation of records required to be prepared by the tax assessor in performing the official duties of his office.

Also:

By Messrs. deGraffenried and Callahan:

H. 722. To amend Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; making such taxes applicable to certain public corporations or institutions.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present Session of the Legislature of Alabama a bill substantially as follows will be introduced, and application for its passage will be made:

A BILL TO BE ENTITLED AN ACT

To amend Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; making such taxes applicable to certain public corporations or institutions.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama, Regular Session 1953, page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County, is hereby amended to read as follows:

"Section 3. Levy of Sales Tax. There is hereby levied in the county, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation (including the University of Alabama and all other institutions of higher learning in Tuscaloosa County, whether such institutions be denominational, State, County, or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the County, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks), an amount equal to one per cent (1 per cent) of the gross proceeds of sales of the business except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business;

(b) Upon every person, firm or corporation engaged, or continuing within the County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be a denominational, state, county, or municipal institution or association or a state, county, or municipal school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged including public bathing places public dance halls of every kind and description within the county, an amount equal to one per cent (1 per cent) of the gross receipts of any such business;

(c) Upon every person, firm or corporation, engaged or continuing within the county in the business of selling at retail any new automotive vehicle, truck trailer or semi-trailer, an amount equal to one-third of one per cent (1-3 of one per cent) of the gross proceeds of the sale of said automotive vehicle, truck trailer or semi-trailer;

(D) Upon every person, firm or corporation engaged, or continuing within the county in the business of selling at retail any used automotive vehicle, truck trailer or semi-trailer, where such vehicle was bought by such person for the purpose of resale, an amount equal to one-third of one per cent (1-3 of 1 per cent) of the gross proceeds of the sale of any such used automotive vehicle of truck trailer or semi-trailer; provided, however, that no tax shall be payable with respect to the sale of any used automotive vehicle or truck trailer or semi-trailer where it was acquired

by, the seller thereof as part of the consideration for the sale, trade, or exchange in the county of any new or used motor vehicle, truck trailer or semi-trailer.

Each exemption provided for in the state sales tax statutes, as they now exist and as they may be at any time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, as at any time amended, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state sales tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. In addition thereto there are hereby exempted from the tax levied in this section the gross receipts or gross proceeds of any business engaged in by any city or town in Tuscaloosa County, or any agency or instrumentality thereof. In the absence of any express provision herein to the contrary, all provisions and procedures with respect to the application for and issuance of licenses, the making of returns or reports, the contents of returns or reports, collection and payment of taxes, keeping of records, reporting and paying taxes with respect to sales on credit, determination of the amount of the tax due, penalties, assessments, notices, and examinations of taxpayers and their books provided for in the state sales tax statutes with respect to the tax levied in those statutes shall be applicable to the tax levied in this section, excepting however the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided however that any procedure or provision involving the State Department of Revenue which is incorporated herein by reference to the state sales tax statutes shall be deemed to apply, with respect to the tax levied in this section, to the tax board. Every person, firm or corporation engaged in any business upon which the tax levied in this section is imposed shall add the tax herein levied to the sales and admission price with respect to which the said tax is levied and shall collect the same from the purchaser. The tax levy made in this section shall become effective on the first day of the first complete calendar month after the expiration of sixty days following the date on which this act becomes law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May 31—June 7—14—21—4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 31, June 7, June 14, and June 21, all in the year 1957.

BUFORD BOONE.

Sworn to and subscribed before me June 28, 1957.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. deGraffenried and Callahan:

H. 723. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Board of Education in such counties.

Also:

By Messrs. Callahan and deGraffenried:

H. 725. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census.

Also:

By Messrs. deGraffenried and Callahan:

H. 726. To amend further Section 4 of an act approved August 3, 1927 (Act No. 228, H. 707, Local Acts of Alabama, 1927, p. 130), an act which established the Inferior Court of Tuscaloosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 4 of an act approved August 3, 1927 (Act No. 228, H. 707, Local Acts of Alabama, 1927, p. 130), an act which established the Inferior Court of Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of an act approved August 3, 1927 (Act No. 228, H. 707, Local Acts of Alabama, 1927, p. 130), an act which established the Inferior Court of Tuscaloosa County, Alabama, defined its jurisdiction, provided for a judge, solicitor, and clerk of said court, and fixed their compensation, as amended by an act approved June 26, 1953, is amended further to read as follows:

"Section 4. The salary of the clerk of the Inferior Court shall be four thousand eight hundred dollars (\$4,800) per annum, payable in equal monthly installments upon warrants drawn in the same manner as the salary warrants of other officers of Tuscaloosa County."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

May 30-June 6-13-20-4 TC.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1957.

BUFORD BOONE.

Sworn to and subscribed before me June 28, 1957.

LILLA COLLINS,
Notary Public.

Also:

By Mr. Kelly:

H. 730. Relating to municipalities having a population of not less than 3,250 nor more than 3,350, according to the last or any subsequent federal decennial census; providing further for the public health and safety in such municipalities; prohibiting any person to build, maintain, or use a privy, or to own any building which does not have screened doors and windows, in such municipalities; and providing for the installation of water closets, septic tanks, and screens, and for the connection of such water closets with such septic tanks or the municipal sewerage system, by the municipality, and for the assessment of the cost thereof against the owner, in the event the owner fails to make such installation or connection, or to screen such doors and windows.

Also:

By Messrs. Vacca, Adams (Jefferson), Nice, Perry, Edwards (Jefferson), Lackey and Kaul:

H. 695. An Act to amend Sections 2, 3 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the city of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the 1957 regular session of the Legislature of Alabama for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

A BILL TO BE ENTITLED AN ACT

An Act to amend Sections 2, 3 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the City of Birmingham who entered the service of the police department of said city prior to

September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, be and said Section 2 hereby is amended to read as follows:

Section 2. DEFINITIONS.—The following words, terms and phrases wherever used in this act, including this section, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates otherwise or that a more restricted or extended meaning is intended:

"The City": The City of Birmingham.

"The 1923 system": The pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, whether as originally enacted or as reenacted or amended.

"The system": The retirement and relief system established by this act.

"In the service": In the service of the city as a member (other than a reserve force member) of its police department or as a jail warden before, on or after the effective date of this act.

"Salary": Money remuneration for time in the service.

"Payroll period": A period of time for which a payment of Salary is ordinarily made.

"Earnable daily rate": Monthly rate of salary for time in the service divided by thirty.

"Salary days": Such number of days of a payroll period as equals the actual amount of salary paid to or for or to and for a member of the system for time in the service in such payroll period, divided by the daily earnable rate of such member for such payroll period.

"Paid membership time": The aggregate of salary days of a member of the system from the salary for which deduction is made pursuant to the provisions of this act for the treasury of the city. Three hundred sixty salary days shall constitute a year of paid membership time, but this shall not be construed to mean that less than 365 actual days may be counted as a year of creditable time.

"Prior service time": Time of a member of the system in the service prior to the effective date of this act, except time in the service prior to said effective date for which the member of the system may have received no service pay from the city.

"Creditable time": The creditable time of a member of the system shall include all his prior service time and all his paid membership time.

"Final average salary": The final average salary of any member of the system for purposes of this act shall be the total amount of his salary for such period of five years of consecutive creditable time as may be most favorable to him, divided by sixty; provided, however, that if, because of fault, misconduct or inefficiency upon his part, a member of the system shall have been demoted more than five years prior to date of his

retirement or date of commencement of his disability, as the case may be, such most favorable period shall be subsequent to date of demotion; provided, further, that if a member of the system shall have been demoted for such cause within five years of date of his retirement or date of commencement of his disability, as the case may be his final average salary shall be the total amount of his salary for the five years of his creditable time next preceding date of his retirement or date of commencement of his disability, as the case may be, divided by sixty; and, provided, further, that a member of the system shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 3.

"Beneficiary": One in whose favor monetary benefits hereunder are accruing on account of retirement, widowhood, childhood or disability.

"Severance nominee": One designated as such under Section 9 of this act.

"The comptroller": The comptroller of the city, or if hereafter the employee of the city whose duties are those of treasurer or chief financial employee shall be known by some other title, then the employee having said duties.

"The board": The board of managers provided for by section 15 of this act for the administration, management and control of the system.

Section 2. That Section 3 of said Act No. 470 of the regular session of the Legislature of Alabama of 1955, be and said Section 3 hereby is amended to read as follows:

Section 3. CONTRIBUTIONS BY MEMBERS OF THE SYSTEM.—At the end of each payroll period ending subsequent to the effective date of this act, the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period, provided, however, that for the purpose of such deductions pursuant to the provisions of this section no member of the system shall be deemed to earn, or to have earned, salary at a rate in excess of four hundred (\$400) per month. The proviso of the next preceding sentence, hereinafter referred to as the "four hundred dollar proviso", shall not have any past or future application to any member of the system who shall, or shall have, become subject to the five hundred dollar limitation under or in accordance with the provisions of subdivision (a) of this section next following. (a) For the purpose of deductions from salary, a member of the system who shall be, or shall have been, a member of the system at September 1, 1957, and who shall not elect, or shall not have elected, in the manner and within the time hereinafter provided, to remain subject to said four hundred dollar proviso, shall be deemed to earn or to have earned, at all past and future times, while a member of the system, salary at his actual rate of salary, but in no event at a rate in excess of five hundred dollars (\$500) per month. The aggregate of monthly deficiencies of deductions from salary of any such member of the system during the period from October 1, 1955 (the effective date of this act) to September 1, 1957, resulting from the operation of the next preceding sentence, together with interest on each such monthly deficiency from the time such deficiency is deemed to have occurred to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum, shall constitute a liability of such member of the system to the city as of September 1, 1957. The amount of said deficiency and interest liability shall be the sum of the following: six per centum (6%) of the excess of salary of such member of the system over four hundred dollars (\$400) and not over five hundred dollars (\$500) for each

month between October 1, 1955 and September 1, 1957, being the deficiency of deduction for each month between October 1, 1955 and September 1, 1957, plus interest on each of the aforesaid deficiencies from the end of the month for which computed to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum. Said deficiency and interest liability shall bear interest from September 1, 1957 at the rate of six per centum (6%) per annum. At the end of each payroll period ending after September 1, 1957, the city, in addition to deductions from salary hereinabove provided for, shall deduct from the salary of such member of the system for each such payroll period ending after September 1, 1957, an amount equal to five per centum (5%) of such deficiency and interest liability, together with interest thereon at the rate of six per centum (6%) per annum from September 1, 1957, until such deficiency and interest liability, together with interest thereon, has been fully paid and discharged. Any member of the system subject to or burdened with such deficiency and interest liability or balance thereof may pay and discharge the same by direct payment to the city of the amount thereof, but if such deficiency and interest liability, with any interest thereon, be not paid or discharged in one or more of the manners hereinabove provided, it shall be paid or discharged as provided in Section 12. Any member of the system who shall be or shall have been a member of the system at September 1, 1957, may file with the comptroller at any time within fifteen days after September 1, 1957, a written declaration to the effect that he elects to remain subject to the aforesaid four hundred dollar proviso, and in the event he so files such declaration he shall remain subject to said four hundred dollar proviso, and the sentences of this subdivision (a) preceding this sentence shall have no application to him (b) The city shall promptly pay each and every deduction and direct payment in this section hereinabove provided for into the general treasury of the city (herein referred to as "the treasury") and such deduction or direct payment, less, however, so much, if any, thereof as shall be interest whether at the rate of three and three-tenths per centum (3.3%) per annum or at the rate of six per centum (6%) per annum, shall be known as a contribution of the member of the system to the treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and receiving such direct payments and of paying into the treasury all amounts so deducted or received. All such amounts so paid into the treasury shall become and be part of the funds and assets of the treasury. The comptroller, however, shall keep a separate account of such amounts so paid into the treasury, of contributions of the members of the system to the treasury, of all disbursements made pursuant to the provision of this act and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this act, the records of the comptroller made and kept for the purposes of this act shall be deemed, *prima facie*, to speak the truth.

Section 3. That Section 7 of said Act No. 470 of the regular session of the Legislature of Alabama of 1955, be and said Section 7 is hereby amended to read as follows:

Section 7. DISABILITY ALLOWANCES. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subdivision (b) of this section shall not be applicable, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to one and three-fourths per centum (1¾%) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed thirty-five per centum (35%) of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty calen-

dar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subdivision of this section shall be known as an "ordinary disability allowance". (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, then, in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to the lesser of three hundred dollars (\$300.00) or sixty per centum (60%) of his monthly salary at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an "extraordinary disability allowance", but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance and unless such resolution be passed within twelve months after the accident resulting in disability. In event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability and such total disability from such injury should thereafter cease, the board may in its discretion, continue him on the disability roll until such time as, in the judgment of the board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then, such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions or any amount payable

under Section 11 his right to continuance of disability benefits shall immediately cease.

Messenger—June 8-15-22-29, 1957.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 8, 15, 22, 29, 1957, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 1 day of July, 1957.

BILLIE FOSTER,
Notary Public.

Also:

By Messrs. Perry, Edwards (Jefferson), Vacca, Nice, Adams (Jefferson), Lackey and Kaul:

H. 696. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA JEFFERSON COUNTY

Pursuant to constitutional requirement, notice is hereby given that a bill substantially as follows will be introduced at the present session (1957 regular session) of the Legislature of Alabama for the purpose of passing a local bill for Jefferson County, incorporating into the City of Graysville, Alabama, the territory hereinafter particularly described. Said bill will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of the City of Graysville in Jefferson County are hereby altered, rearranged, and extended to include within the corporate limits of the City of Graysville the following described territory situated in Jefferson County, Alabama, in addition to that already within the corporate limits of said City, to-wit:

Begin at the N.W. Corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 28 Township 16 South, Range 4 West, thence east along the North line of said $\frac{1}{4}$ $\frac{1}{4}$ Section for a distance of 796.0 feet, thence 90 degrees 01.5 minutes right 1969.37 feet, thence 89 degrees 58.5 minutes right 796.0 feet to a point 656.46 feet south of SW corner of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 28 Township 16 South Range 4 West, that point also being on the west line of NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said section, thence north along the west line of said $\frac{1}{4}$ $\frac{1}{4}$ Section for a distance of 1969.37 feet to the point of beginning, situated in Jefferson County Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Messenger—June 1, 8, 15, 22, 1957.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 1, 8, 15, 22, 1957, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 24 day of June, 1957.

BILLIE FOSTER,
Notary Public.

Also:

By Messrs. Oden and Fite:

H. 114. To amend further Chapter 1 of Title 36, Code of Alabama (1940), so as to require drivers of vehicles to yield the right-of-way to other traffic under certain conditions.

Also:

By Messrs. Oden and Fite:

H. 113. Relating to highways; providing that the courts of county commissioners, boards of revenue or other like governing bodies shall erect and maintain necessary warning signs and devices on paved county roads.

Also:

By Mr. Fite:

H. 702. To amend further Section 18 of Title 19, Code of Alabama (1940), which relates to suspension of the judgment on appeal in condemnation proceedings.

Also:

By Messrs. Oden and Fite:

H. 110. To amend Section 4 of Title 19, Code of Alabama (1940), which relates to the order of the court on filing an application for con-

demnation, and the notice required to be given the owners of the land sought to be condemned.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 688, 689, 698, 704, 705, 706, 707, 722, 723, 725, 726, 730, 695, and 696—to the Committee on Local Legislation

H. B. 699—to the Committee on Constitution and Constitutional Revision and Amendments

(The above numbered bill was read at length as required by the Constitution.)

H. B.'s 114, 702, and 110—to the Committee on Judiciary

H. B. 113—to the Committee on Public Roads and Highways

MOTION TO ADJOURN LOST

At 4:40 P. M., Mr. Tate moved that the Senate do now adjourn until Friday, July 26, 1957 at 12 o'clock Noon, which motion was lost.

Yeas 10; Nays 22.

Yeas:

Messrs.:	Eddins	Hall	Tate
Cooper	Engelhardt	James	Van Antwerp
Davis (<i>Pickens</i>)	Givhan	Newton	—10

Nays:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Smith
Boutwell	Grisham	Reeves	Vann
Cantrell	Jones	Roberts	Yarbrough (<i>Autauga</i>)
Davis (<i>Lowndes</i>)	Lamberth	Robison	Yarbrough (<i>Randolph</i>)
Dyar	Leonard	Shelton	—22

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 54. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, page 734), the Act which established the Employees' Retirement System of Alabama.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Bills with the original Senate Bills, respectively, and finds same correctly enrolled, to-wit:

S. 42. To Amend Section 151 of Chapter 8 of Title 52 of the Code of Alabama of 1940 as amended by Act No. 206 of Acts of the 1943 Session of the Legislature, and as amended by Act No. 418 of the 1951 Regular Session of the Legislature.

Also:

S. 171. To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as "The Water Works and Sewer Board Employees' Pension and Relief Fund"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payments for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof.

Also:

S. 301. To prohibit the hunting of wild deer with a rifle or carbine in the County of Colbert, and prescribing the penalty for such offense.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the resolution:

S. J. R. 44. Relative to naming House Bill 18

by a vote of a majority of the whole number elected to the House, said vote being: Yeas 76; Nays 0.

And said resolution, as thus amended by the executive amendment, was again read and passed by a vote of a majority of the whole number elected to the House, said vote being Yeas 76; Nays 0.

And said resolution, together with the executive amendment, is herewith returned to the Senate.

OAKLEY MELTON, JR.,
Clerk.

RESOLUTION

The Rules Committee reported the following resolution, to-wit:

S. R. 62. BE IT RESOLVED by the Senate that when the Senate adjourns today it adjourn to meet again at 12:01 A. M. Friday, July 26, 1957.

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-first Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-first Legislative Day was approved by the Senate.

ADJOURNMENT

At 5:10 P. M., on motion of Mr. Cooper, pending further consideration of S. R. 61, S. R. 54, and S. B. 119, the Senate adjourned until Friday, July 26, 1957, at 10 o'clock A. M.

Yeas 17; Nays 15.

Yeas:

Messrs.:	Engelhardt	Little	Tate
Cooper	Givhan	Newton	Van Antwerp
Davis (Lowndes)	Hall	Reeves	Yarbrough (Aulaga)
Davis (Pickens)	James	Shelton	Yarbrough (Randolph)
Eddins	Jones		—17

Nays:

Messrs.:	Flowers	Leonard	Robison
Allen	Goodwin	Metcalf	Skidmore
Boutwell	Grisham	Moses	Smith
Dyar	Lamberth	Roberts	Vann

TWENTY-SECOND LEGISLATIVE DAY

FRIDAY, JULY 26, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Pruitt Willis, Pastor, Millbrook Methodist Church, Millbrook, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolutions with the original Senate Bills and Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. 54. To amend further Act No. 515, H. 93, approved July 9, 1945 (General Acts 1945, page 734), the Act which established the Employees' Retirement System of Alabama.

Also:

S. 78. To regulate further the office of circuit solicitor of the Ninth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in law enforcement and in the conduct of his office.

Also:

S. 305. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Also:

S. 312. To provide further for purging the lists of registered voters in Cullman County; requiring and prescribing the procedure for the reidentification of registered voters; placing certain duties on the board of registrars and the county governing body relative to the reidentification of registered voters; requiring the beat committeemen or other members of political parties organized in Cullman County to serve as clerks of the board of registrars in connection with the reidentification of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Also:

S. 315. To amend further Section 2 of an act approved February 18, 1927, entitled "An Act to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Talladega County, Alabama, and supervising the construction, maintenance and upkeep of the roads and bridges in his District and to fix the salary and compensation of said commissioners."

Also:

S. 321. To amend an Act, entitled "An Act, to provide additional duties and confer additional powers on each member of the Court of County Commissioners of Pike County, Alabama, in supervising the construction, maintenance and upkeep of the roads and bridges in his district, and to fix the salary and compensation of said Commissioners," approved October 11th, 1932, as amended by Act No. 295, Acts of The Regular Session of 1943, approved June 28, 1943.

Also:

S. 150. To amend Section 11 of an act approved February 14, 1956, creating and providing for the City of Prichard a special fund to be known as "The Municipal Employees Pension and Relief Fund" (Act No. 107, H. 150, 1956 Acts 154).

Also:

S. J. R. 44. Naming House Bill No. 18.

Also:

S. J. R. 58. Condemning the actions of some Representatives of the States of the Northeast, Middle and Far West in their efforts to impose upon the South the iniquitous Civil Rights Bill; also expressing thanks to leaders from other sections who, together with Alabama's Congressional delegation, are continuing their efforts to defeat the Bill.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol,
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Pardons and Paroles.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 26, 1957

To the Senate of Alabama
State Capitol,
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Mr. Samuel W. Esslinger, Florence, as a member of the Board of Pardons and Paroles, for the term expiring June 30, 1963.

Respectfully,

JAMES E. FOLSOM,
Governor.

JEF:A

GOVERNOR'S MESSAGE

On motion of Mr. Grisham, the Rules were suspended and the Senate confirmed the appointment of Mr. Samuel W. Esslinger as member of the Board of Pardons and Paroles, which said appointment is set out in the foregoing Message from the Governor.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol,
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of Alabama College.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 26, 1957

To the Senate of Alabama
State Capitol,
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Board of Trustees for Alabama College:

Mrs. E. N. Merriwether, Mobile—From the First District, for the term expiring in January, 1967.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

The foregoing Message from His Excellency, The Governor, relative to the Board of Trustees of Alabama College, was read and, on motion of Mr. Lamberth, referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Brannan:

H. 558. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

AN ACT TO EXTEND, ALTER AND REARRANGE THE BOUNDARY LINES AND CORPORATE LIMITS OF THE TOWN OF GULF SHORES, BALDWIN COUNTY, ALABAMA

Section 1. That the corporate limit boundaries of the Town of Gulf Shores, Baldwin County, Alabama, are hereby altered, rearranged and fixed as follows:

Beginning at the Southwest corner of Section 9, Township 9 South, Range 4 East; run thence West one quarter ($\frac{1}{4}$) mile, more or less, to the Northwest corner of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 17, Township 9 South, Range 4 East; run thence South one-quarter ($\frac{1}{4}$) mile, more or less, to the Southwest corner of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 17, Township 9 South Range 4 East; run thence East one quarter ($\frac{1}{4}$) mile, more or less, to the Southeast corner of the Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section 17, Township 9 South, Range 4 East; run thence South along the Section line to a point 406.4 feet South of the East quarter corner of Section 17, Township 9 South, Range 4 East; run thence South 57 degrees West 1700 feet, to a point 200 feet East of the East right-of-way line of Alabama Highway No. 3; run thence South 7 degrees and 45 minutes West 1329.7 feet, parallel to the center of Alabama Highway No. 3; run thence North 77 degrees East 1606.9 feet, to the East line of Section 17, Township 9 South, Range 4 East; run thence South 395 feet to the Southeast corner of Section 17, Township 9 South, Range 4 East; run thence East five-eighths ($\frac{5}{8}$) mile to the Northeast corner of the West Half ($W\frac{1}{2}$) of the West Half ($W\frac{1}{2}$) of Lot "A", Section 21, Township 9 South, Range 4 East; run thence South 1057 feet to the centerline of Gulf Shores Boulevard; run thence South 77 degrees and 47 minutes West 424.7 feet, along the centerline of Gulf Shores Boulevard; run thence South 612 feet to the Gulf of Mexico; run thence South 80 degrees West, seven-eighths ($\frac{7}{8}$) mile, more or less, along and with the margin of the Gulf of Mexico, to a point due South of the Southwest corner of the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter of Section 17, Township 9 South, Range 4 East; run thence North two and one-half ($2\frac{1}{2}$) miles, more or less, to the Southwest corner of the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 5, Township 9 South, Range 4 East; run thence East one-quarter ($\frac{1}{4}$) mile to the North and South center line of the East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 5, Township 9 South, Range 4 East; run thence North one-half ($\frac{1}{2}$) mile along the North and South centerline of the East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 5, Township 9 South, Range 4 East; run thence North one-half ($\frac{1}{2}$) mile along the North and South centerline of the East Half ($E\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section 5, Township 9 South, Range 4 East; run thence one-eighth ($\frac{1}{8}$) mile, more or less to the West right-o-way East one-eighth

($\frac{1}{8}$ mile, more or less to the West right-of-way line of Alabama Highway No. 59, run thence South one-half ($\frac{1}{2}$) mile along the West right-of-way line of Alabama Highway No. 59 to the Southeast corner of Section 5, Township 9 South, Range 4 East; run thence East one-eighth ($\frac{1}{8}$) mile, to the Northeast corner of the West Half ($\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 9, Township 9 South, Range 4 East; run thence South 1170 feet to the center line of the Intracastal Canal; run thence North 88 degrees and 40 minutes East seven-eighths ($\frac{7}{8}$) mile to the East line of Section 9, Township 9 South, Range 4 East; run thence South 1550 feet to the East quarter corner of Section 9, Township 9 South, Range 4 East; run thence West three-quarters ($\frac{3}{4}$) mile to the center of the West Half (W $\frac{1}{2}$) of Section 9, Township 9 South, Range 4 East; run thence South one-half ($\frac{1}{2}$) mile to the Southeast corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 9, Township 9 South, Range 4 East; run thence West one-quarter ($\frac{1}{4}$) mile to the point of beginning.

Section 2. This act shall become effective immediately upon passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, E. M. Howell, Publisher of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated May 9, 1957, and ending with the issue dated May 30, 1957.

E. M. HOWELL

Subscribed and sworn to before me this 12 day of June, 1957.

CLAUDE PETEET,
Notary Public.

My commission expires July 18, 1959

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 558—To the Committee on Local Legislation

REPORT FROM RULES

Mr. Lamberth, Vice-Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following Governor's Message and ordered same returned to the Senate with a favorable report, to-wit:

Relative to the appointment of Mrs. E. N. Merriwether as a member of the Board of Trustees of Alabama College.

And on motion of Mr. Van Antwerp the Senate confirmed the appointment of Mrs. Merriwether as a member of the Board of Trustees of Alabama College.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Thomas, Cornett, and Roberts:

H. 377. To regulate trade practices in the business of insurance by defining, or providing for the determination of, all such practices in this state which constitute unfair methods of competition or unfair or deceptive acts or practices; to prohibit the same; to provide for a determination by the Superintendent of Insurance of any violations of this Act after a hearing thereon, with the right of review by appeal to the Circuit Court of Montgomery County; to provide a fine for violating the orders of the Superintendent of Insurance; and for other purposes.

Also:

By Messrs. Kaul and deGraffenried:

H. 265. To amend Section 552 of Title 51, Code of Alabama 1940, which relates to the payment of an annual license tax by persons engaged in the practice of medicine, chemistry, bacteriology, roentgenology, or other similar professions.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 377—To the Committee on Insurance

H. 265—To the Committee on Finance and Taxation

BILL ON THIRD READING

The Bill:

S. 178. To amend further Section 29 of Title 60, Code of Alabama (1940).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Flowers	Little	Skidmore
Boutwell	Goodwin	Metcalf	Smith
Bradford	Grisham	Moses	Tate
Calvin	Hall	Newton	Van Antwerp
Cooper	James	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Lamberth	Robison	—30

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Simon and Murphy:

H. 117. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created, and shall be established on the first Monday after the second Tuesday in January, 1961, the county commission of Mobile County, which shall be in lieu of the board of revenue and road commissioners of Mobile County and shall be composed of a president and two associate commissioners. The board of revenue and road commissioners is continued as the governing body of the county until the county commission is established as provided in this act. Upon the establishment of the county commission, the board of revenue and road commissioners shall be abolished.

Section 2. (a) Members of the commission shall be elected at the general election to be held in November, 1960, and every four years thereafter, by the qualified electors of the entire county. In all primary and general elections held to choose members of the commission, the ballots shall separately designate and specify the places on such commission by number, and each candidate shall designate in the announcement of his candidacy the number of the place for which he is a candidate. Members of the commission must be qualified electors of Mobile County, but commissioner number one must be a resident of the City of Mobile and commissioner number two must be a resident of the territory lying outside the corporate limits of the City of Mobile. Commissioner number three may reside any place within the county. The members so elected shall hold office for terms of four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified.

(b) Every four years, the members of the commission shall elect one of their number as president of the commission at the first regular meeting held after their taking office. The person so elected shall serve as president during his term as a member of the commission, and until his

successor is elected and qualified. Vacancies on the commission shall be filled by appointment by the Governor, but the office of president of the commission shall be filled by the members thereof.

Section 3. Except as otherwise provided in this Act, the county commission of Mobile County shall have all the jurisdiction and powers which are or may hereafter be by law vested in the courts of county commissioners, boards of revenue, or other county governing bodies of this State; and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for the members of courts of county commissioners, boards of revenue, or other county governing bodies of this State.

Section 4. The president of the commission shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the commission, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other member of the commission shall be designated by an appropriate resolution of the board so to do; and it shall be his duty to receive and prepare business and obtain information for the sessions of the commission, to see to the execution of all orders thereof, and to report to the commission all infractions of the revenue law in the county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the judge of probate as to matters coming before the court of county commissioners.

Section 5. The members of the county commission of Mobile County shall devote their full time to the discharge of their official duties. The president of the commission shall receive an annual salary of ten thousand dollars (\$10,000) and each associate commissioner shall receive an annual salary of nine thousand dollars (\$9,000). The salaries of the president and associate commissioners shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, as provided by law, and shall be their entire compensation for the services required of them by this Act.

Section 6. The county commission of Mobile County shall hold regular meetings on the second Monday of every month, and shall remain in session until all business before them is disposed of; and the commissioners may hold such special meetings, upon the call of its president or the two associate commissioners, as may be necessary for the proper discharge of their duties. A majority of the commission shall constitute a quorum for the transaction of business. The commission shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read, and all minutes shall be open to public inspection at reasonable times.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Press 4/18, 4/25/52, 5/9

OTTO E. SIMON.

Wm. M. Curran being sworn, says that he is auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Press, Apr 18, 25 May 2, 9 1957.

W. M. CURRAN.

Sworn to and subscribed before me This 9th day of May 1957

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Taylor and Killough:

H. 652. To extend, alter, rearrange and define the boundary lines and corporate limits of the Town of Georgiana, In Butler County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

By virtue of a resolution adopted by the Mayor and Council of the Town of Georgiana in regular meeting assembled on Monday, May 6, 1957, notice of intention to apply for the passage of an act in substantially the following form at the present session of the Alabama Legislature is hereby given, as is provided by law:

A BILL TO BE ENTITLED AN ACT

To extend, alter, rearrange and define the boundary lines and corporate limits of the Town of Georgiana in Butler County, Alabama.

Be It Enacted by the Legislature of the State of Alabama:

Section 1. That the boundary lines and corporate limits of the Town of Georgiana in Butler County, Alabama, be and the same are hereby extended, altered, rearranged, and defined so as to include within the corporate limits of said Town all that portion of the present territory of said Town and certain additional adjacent territory included within the boundaries described as follows:

To reach the point of beginning, begin at U. S. Coast and Geodetic Survey Bench Mark Y43-1934, which lies just North of the Louisville and Nashville Railroad depot in the Town of Georgiana, Alabama, run thence due South 100 chains to the point of beginning, being a point on the perimeter of the boundary line and corporate limit line to be described; run thence due West 80 chains to a point, run thence due North 200 chains to a point, run thence due East 160 chains to a point, run thence due South 200 chains to a point, run thence due West 80 chains to the point of beginning, beginning being a rectangle five square miles in area, and lying and being in Sections TWENTY ONE, TWENTY TWO, TWENTY THREE, TWENTY SIX, TWENTY SEVEN, TWENTY EIGHT, THIRTY THREE, THIRTY FOUR, and THIRTY FIVE of Township Eight North, Range Thirteen East of St. Stephens Meridian, County of Butler, State of Alabama.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

4 wks. May 30-June 6-13-20.

STATE OF ALABAMA
BUTLER COUNTY

Before me, Marion Morgan, a Notary Public in and for said State and County, personally appeared Roger Pride, Jr., who being by me first duly sworn doth depose and say that he is the Editor of The Butler County News, a weekly newspaper published in the Town of Georgiana, Butler County, Alabama, and that the attached legal notice was published in said The Butler County News for four successive weeks, said notice having been published in the issues of May 30, June 6, June 13 and June 20, 1957.

ROGER PRIDE, JR.

Sworn to and subscribed before me, this 21 day of June, 1957.

MARION MORGAN,
Notary Public.

Also:

By Mr. Brannan:

H. 675. To provide for and regulate the use or disposition of certain real estate acquired by the State of Alabama for highway right of way purposes for use in constructing a road, highway, or parkway from Gulf Shores to Fort Morgan in Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To provide for and regulate the use or disposition of certain real estate acquired by the State of Alabama for highway right of way purposes for use in constructing a road, highway or parkway from Gulf Shores to Fort Morgan in Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. All real estate acquired by the State of Alabama, by donation, purchase, or otherwise, solely for highway right of way purposes for use in constructing a road, highway, or parkway from Gulf Shores to Fort Morgan in Baldwin County, Alabama, which real estate extends a distance of one hundred sixty-five (165) feet to the right and left of a center line designated and established by the State Highway Department in connection with Project No. S-537, shall be used, or shall be disposed of, as follows: (a) Subject to the conditions and limitations prescribed by Section 2 of this Act, the Land Agent of the Department of Conservation is hereby authorized to dispose of all such real estate in excess of sixty-five (65) feet to the left and right of the center line designated and established by the State Highway Department in connection with said Project No. S-537. (b) The State Highway Department shall, after the effective date of this Act, exercise exclusive jurisdiction and control over such real estate for a distance of sixty-five (65) feet to the left and right of the center line designated and established by the State Highway Department in connection with said Project No. S-537.

Section 2. All real estate which the Land Agent is authorized to dispose of under the provisions of this act shall be disposed of as follows.

(a) If any parcel of such real estate was donated to the State, the original owner thereof, or his heirs, assigns or transferees, may acquire such parcel of real estate, without payment of any consideration whatsoever, by filing a claim with the Land Agent within one hundred eighty days from the effective date of this Act.

(b) if any parcel of such real estate was purchased by the State, whether through condemnation proceedings or otherwise, the original owner thereof, or his heirs, may acquire such parcel of real estate by filing a claim therefor with the Land Agent within one hundred eighty days from the effective date of this Act, and by paying to the Land Agent an amount equal to the original purchase price by the State in the acquisition of such parcel of real estate.

(c) If the original owner of any such parcel of real estate, or the heirs of such original owner, fails to file a claim for such real estate in the manner and within the time prescribed by either subsection (a) or subsection (b) of this Section, then the owner of the land adjoining or abutting such parcel of real estate shall be given the opportunity of acquiring such real estate by paying to the Land Agent the fair and reasonable market value thereof.

(d) If the original owner of any such parcel of real estate, or the heirs of such original owner, fails to file a claim for such real estate, in the manner and within the time prescribed by either subsection (a) or subsection (b) of this Section, and if the owner of the land adjoining or abutting such parcel of real estate does not desire to acquire such real estate by paying to the Land Agent the fair and reasonable market value thereof, as provided for in subsection (c) of this Section, then the Land Agent may sell such real estate to the highest bidder, after advertising for bids once each week for four successive weeks in some newspaper of general circulation published in the county. All real estate disposed of under the provisions of this Act shall be conveyed by deed, executed by the Land Agent of the Department of Conservation in the name of the State.

Section 3. All real estate over which exclusive jurisdiction and control is vested in the State Highway Department under the provisions of this Act shall be used for highway right of way purposes, and the highway thereon shall be constructed, repaired, and maintained by the State Highway Department in the same manner as other state highways are constructed, repaired and maintained.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(4t May 9, 16, 23, 30)

AFFIDAVIT OF PUBLICATION

I, E. M. Howell, publisher of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive

weeks, commencing with the issue dated May 9, 1957, and ending with the issue dated May 30, 1957.

E. M. Howell.

Subscribed and sworn to before me this 1st day of July, 1957.

Claude Peteet,
Notary Public.

My commission expires July 18, 1959.

Also:

By Mr. Locke (Choctaw):

H. 678. To provide for the payment of expenses incurred by members of the court of county commissioners, board of revenue, or like governing body of Choctaw County which are incurred in the performance of their duties.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the payment of expenses incurred by members of the court of county commissioners, board of revenue, or like governing body of Choctaw County which are incurred in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Choctaw County, not including the president or chairman thereof, shall each be entitled to receive from the county treasury the sum of fifty dollars (\$50) per month for expenses incurred by the use of his privately owned automobile and otherwise in the performance of his duties. Such expenses shall be paid at the end of each month on warrant approved by the court of county commissioners, board of revenue, or like county governing body, on any funds in the county treasury not otherwise appropriated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. D. Blount, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5/30, 6/6, 6/13, and 6/20, all in the year 1957.

D. D. Blount.

Sworn to and subscribed before me July 1, 1957.

F. N. Bruister,
Circuit Clerk.

Also:

By Messrs. Bradford and McNider:

H. 682. Relating to the registration of voters in counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; relieving the members of the boards of registrars in such counties of the duty of visiting precincts or voting places in the performance of their official duties.

Also:

By Mr. Huddleston:

H. 684. Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursements; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. DEFINITIONS AND SCOPE. This Act shall apply only in Colbert County, Alabama. "Plumbing," as used in this Act, is the installation, repair or replacement of pipes, fixtures, or other apparatus necessary either for supplying water or for removing liquid or water-borne waste. The term is also used to denote installed fixtures, drainage,

vents, and water distribution systems. A "master plumber," within the meaning and for the purpose of this Act, shall be held to mean and to include any person, firm or corporation engaged in or proposing to engage in the business of contracting to do or superintending the installation of plumbing, either or both, but if such applicant for registration be an individual, he must either qualify himself to be a licensed master plumber or must continually keep in his active employ a duly registered and licensed master plumber, and, if such licensee be a firm or corporation, at least one active member of such firm or corporation, must be a duly registered master plumber, actively and continuously connected with the conduct of said business.

A "journeyman plumber" within the meaning of this Act is any person, other than a master plumber, who engages in or works at the actual installation, alteration, repair and renovation of plumbing and who has successfully fulfilled the examination and requirements of the board.

Section 2. PURPOSE AND CONSTRUCTION. This Act shall be construed in furtherance of the purpose thereof, which is the promotion of the public safety, health and general welfare.

Section 3. PLUMBING EXAMINING BOARD. There is hereby created a board to be known as the board of plumbers examination and registration of the County. Said board shall consist of five members, each of whom shall be a citizen of the United States and a resident of the State of Alabama. Members of the board and their successors shall be appointed by the probate judge of the county, and shall hold office for terms of four (4) years or until their successors are appointed and qualified. They shall receive no compensation for their services as members of the Board. Two members shall be master plumbers as defined by this Act, two members shall be journeyman plumbers as defined by this Act, and one member shall be the public health officer of the county.

Section 4. MEETING OF THE PLUMBERS EXAMINING BOARD. The Board shall hold its first meeting not later than forty (40) days following the effective date of this Act, and thereafter shall meet at such intervals as may be necessary for the proper performance of its duties, but in any case not less than once each year. The first meeting of the Board shall be at the county courthouse, and subsequent meetings shall be held at such places in the county as the Board shall direct. At the first meeting of the Board the Board shall elect one of its members as President of the Board and one of its members as Secretary-Treasurer, and shall designate their terms as such officers. Three (3) members of said Board shall constitute a quorum for the transaction of any business which may come before the Board.

Section 5. DEPOSIT AND DISBURSEMENT OF FUNDS; BOND OF THE SECRETARY-TREASURER. All fees collected hereunder by the Board shall be deposited by the Board in a depository approved by the probate judge of the county. Drafts shall be drawn upon such fund in accordance with the rules and regulations prescribed by the Board.

The Secretary-Treasurer of the Board shall, before entering upon the duties of his office, make and file with the probate judge of the county an official bond in the sum of Five Thousand Dollars (\$5000.00), premiums on the same to be paid out of the funds of said Board, said bond to be executed by an approved surety company, qualified to do business in Alabama and acceptable to the probate judge.

Section 6. EXAMINATION AND CERTIFICATION. It shall be unlawful for any person, firm or corporation to do or perform, or to contract, direct or superintend any plumbing within any incorporated city or town in Colbert County unless such person has first received a certificate of

competency, hereinafter referred to as "certificate," and unless such certificate is in force and effect at the time such plumbing is done, directed or superintended; except as hereinafter provided.

It shall be the duty of the Board to examine and pass upon the qualification of every person who may apply for a journeyman plumber's certificate upon forms provided by the Board. Such applicant shall be examined, orally or in writing, upon the fundamentals of plumbing, the theory and practice of plumbing installation and construction, and the experience and ability of the applicant in practical plumbing installation and construction; and if such applicant be found to possess an accurate knowledge of the theory and correct practice of plumbing installation and construction, and sufficient experience and ability in plumbing installation and construction to safely and competently apply his knowledge and practice, the Board shall issue to him a certificate upon his first paying all fees herein prescribed.

It shall be the duty of said Board to examine and pass upon the qualifications of every person who may apply for a master plumber's certificate upon forms provided by the Board. Such applicant for a master's certificate shall be examined as an applicant for a journeyman's certificate, as hereinabove required to be examined, and also upon his knowledge, training and ability, in the plumbing, laying out, and supervision of plumbing installation and construction work; and if such applicant for a master's certificate be found to possess the qualifications hereinabove prescribed for issuance of a journeyman's certificate, and also sufficient knowledge, training, and ability to competently and safely plan, lay out and supervise plumbing installation and construction work, he shall be issued a master plumber's certificate by said board. The examination required of an applicant for a permit as a master plumber or journeyman plumber may be waived by the Board as to any person who furnishes satisfactory proof to the Board that he is a person of good moral character, and that he has been actively engaged as a master plumber or as a journeyman plumber, and duly licensed as such under the general laws of the State of Alabama, as the case may be, for at least two years, provided that such person files an application in writing for waiver with the Board, which application shall be accompanied by an affidavit giving the name or names of persons, firms or corporations, and the addresses thereof, by whom he has been employed, or for whom he has done plumbing work, during said two years of his engaging in said trade. And, provided, further, that said application be filed within six months after the passage of this Act. Except as herein provided in this section, no person shall be issued a certificate without passing the prescribed examination; provided, however, that a person after having passed said examination, shall not be required to take said examination thereafter in order to secure a certificate in subsequent years. At least four (4) examinations per year shall be conducted, at a time and place prescribed by the Board after reasonable notice thereof.

Section 7. REEXAMINATION. Any person who fails to pass an examination may, upon payment of the regular examination fee, be re-examined at any subsequent examination given by the Board.

Section 8. EXAMINATION FEE. Any person filing application to be examined as a master plumber, shall pay a fee of \$25.00; and any person filing application to be examined as a journeyman plumber, shall pay a fee of \$15.00. Said fees shall accompany the application and shall not be returnable.

Section 9. ANNUAL CERTIFICATE FEES. Before any person engages in the business of master plumber, he shall secure an annual master plumber's certificate for which he shall pay a certificate fee of \$15.00. Before any person engages in the business of, or is employed as, a jour-

neyman plumber he shall secure an annual journeyman plumber's certificate for which he shall pay a fee of \$5.00. The certificates provided for herein shall be issued by the Board upon the payment of the prescribed fees. All annual certificates shall expire on December 31 of the year in which they are issued. The certificate fees herein prescribed shall be in addition to all privilege or license taxes otherwise levied.

Section 10. TEMPORARY CERTIFICATE. The Board may issue a temporary revocable certificate to any person pending such person's examination for a certificate, if such person furnishes satisfactory proof that he holds a license or certificate to practice as a master or journeyman plumber in any state or county wherein plumbers are required to meet prescribed standards before engaging in the trade of master or journeyman plumber. Any such temporary certificate during the effective period thereof, shall have the force and effect of an annual certificate; but no such temporary certificate shall be effective for a period of more than ninety (90) days from the issuance thereof, or until the next examination whichever is longer. Prior to receiving any such temporary certificate, the applicant therefor shall be required to pay to the Board one half of the annual certificate fee provided for master plumber or journeyman plumber, as the case may be.

Section 11. REVOCATION OF CERTIFICATES. The Board may revoke or suspend any certificate if obtained through concealment, misstatement or misrepresentation of any material fact in the application for such certificate, or for a willful violation of any law or ordinance pertaining to the business of the holder of such certificates. Before a certificate may be revoked the holder thereof shall have notice in writing, enumerating the charges against him, and be entitled to a hearing by the Board not sooner than five (5) days from receipt of notice. The holder of such certificate shall be given an opportunity to present testimony, oral or written, and right of cross examination and representation by counsel. All testimony shall be given under oath. The Board shall have power to administer oaths, issue subpoenas, and compel the attendance of witnesses.

The decision of the Board shall be based on the evidence produced at the hearing and made a part of the record thereof. Any person whose certificate has been revoked shall not be permitted to apply for a license for one year from the date of revocation.

Hearings shall be conducted by a hearing officer appointed by the Board. Said hearing officer may be a Board member or such other person as the Board may deem fit and proper to hold such hearing. The testimony adduced at said hearing, along with all other proceedings, shall be taken down by a competent stenographer and shall be preserved as a record of the Board and shall be open to the public inspection at all reasonable times. A copy of said record so adduced shall be furnished to each member of the Board, and no license shall be revoked unless a majority of the Board members concur with the revocation of same.

No license shall be issued to any licensee whose license shall have been revoked by the Board after such hearing until one year after the date of such revocation unless the licensee whose license was so revoked shall enter into a bond with good and sufficient surety in the penal sum of one thousand dollars (\$1000.00) to faithfully comply with the provisions of this Act and of all rules and regulations and codes adopted by the Board, provided, however, that such licensee whose license was so revoked may within five (5) days after such revocation appeal from the Board's decision or revocation to the circuit court of the county.

Section 12. MASTER PLUMBER'S BOND. In order to protect the public from damages arising from plumbing or plumbing work failing to

comply with the requirements of any state laws applicable thereto, or with the ordinances of any municipal corporation applicable thereto, it is hereby provided that before any person engages in the business of master plumber, he shall execute and deposit with the judge of probate in the county a bond in the sum of two thousand dollars (\$2000.00). Such bond shall be executed by a surety authorized and qualified to write surety bonds in the State of Alabama, and shall be approved by the probate judge. Such bond shall be conditioned upon all plumbing work done or supervised by such master plumber complying with the provisions of any laws or ordinances relating to plumbing and applicable thereto. Action on such bond may be brought against the principal and surety thereon, in the name of, and for the benefit of, any person who suffers damages as a consequence of said master plumber's work not conforming to the requirements of any laws or ordinances pertaining to plumbing and applicable thereto, provided, however, that the aggregate liability of the surety to all persons so damaged shall, in no event, exceed the sum of said bond.

Section 13. WRONGFUL USE OF CERTIFICATE. No person who has obtained a certificate shall allow his name to be used by another person, either for the purpose of obtaining permits, or doing business or work under his certificate; and every person certified shall notify the Board of the address of his place of business and the name under which such business is carried on, and shall give immediate note to the Board of any change in either.

Section 14. ACTS, WORKS AND CONDUCT PERMITTED, WITHOUT LICENSE. The following acts, work and conduct may be performed by anyone, without license or certificate, provided, however, that all work and services herein named or referred to shall be subject to an inspection and approval in accordance with the terms of all state laws and applicable municipal ordinances:

(A) Plumbing work done by a property owner in or about a building owned or occupied by him so long as such plumbing work does not necessitate tying into waste or sewer lines on the outlet side of a trap.

(B) Plumbing work done by anyone who is regularly employed or acting as a maintenance man or maintenance engineer incidental to and in connection with the business in which he is employed and engaged, provided said plumbing work is done on the premises of said employer, and such employee does not engage in the occupation of a plumber for the general public.

(C) Maintenance and reinstallation work done upon the premises or equipment of a railroad, other businesses or industry, by an employee thereof who does not engage in the occupation of a plumber for the general public.

(D) Plumbing work done by persons engaged by any public service company in the laying, maintenance and operation of its service mains or lines and the installation, alteration, adjustment, repair, removal and renovation of all types of appurtenances, equipment and appliances, provided such plumbing work does not necessitate tying into waste or sewer lines on the outlet side of a trap.

(E) Appliances or fixture installations and service work done in connecting appliances or fixtures to existing piping installations, including fixtures with built-in traps, provided, however, that no person other than a plumber defined by this Act shall be permitted to install traps, closet combinations or commodes.

(F) Any person may install water heaters, provided, however, a permit has been obtained from the municipality for such installation where the same is required by municipal ordinance.

(G) Any person may install washing machines to existing piping installation or waste lines, provided such plumbing work does not necessitate tying into waste or sewer lines on the outlet side of the trap.

Section 15. PENALTY. Any person who is convicted of doing or committing any act prohibited hereby, or of failing or omitting to do any act required hereby or of knowingly and willingly make any false statement to the Board concerning his application to or examination by the Board, with the intent to deceive, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$10.00 and not more than \$500.00 for each offense; and each day's violation shall constitute a separate offense.

Section 16. REPEAL OF INCONSISTENT LAWS. All laws, and parts of laws, whether general, special or local, in conflict with the provisions of this Act, are hereby repealed.

Section 17. If, for any reason, any clause, sentence, subsection, or section, or provision of this Act, or the application thereof to any person, body, situation or circumstance is held invalid or inoperative, the remainder of this Act and the application thereof to any other person, body, situation or circumstance shall not be affected thereby.

Section 18. This Act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 14, 21, 28, July 5c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Louis A. Eckl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Standard and Times, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5, all in the year 1957.

Louis A. Eckl.

Sworn to and subscribed before me this 6th day of July, 1957.

L. H. Baker,
Notary Public.

Also:

By Mr. Huddleston:

H. 685. Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county governing body may levy an additional county privilege or excise tax on tobacco and certain tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF COLBERT**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county governing body may levy an additional county privilege or excise tax on tobacco and certain tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or like governing body of Colbert County is hereby authorized to call an election of the qualified electors of the county for the purpose of determining whether or not the county governing body may levy an additional county privilege or excise tax on tobacco and certain tobacco products. Due notice of the time of holding the election and of the purpose of the election must be given by the sheriff at least thirty days prior to the date the election is to be held, by publication in some newspaper in the county, and by posting such notice at the courthouse door and at three other public places in the county. The county governing body shall provide for the holding of the election on the date specified in the notice. If the question of levying the special tax authorized herein fails to carry at such election, that fact shall not preclude the submission of the question to the voters of the county at a subsequent election held at any time not less than two years from the date of the preceding election.

Section 2. The county governing body shall declare the result of the election, and if a majority of the electors voting on the question have voted in favor of such special tax, the county governing body may by ordinance or resolution levy, in addition to all other taxes of every kind now imposed by law a county privilege or excise tax in the following amounts for the sale, storage, or delivery of the following named tobacco and tobacco products:

- (a) Two cents (\$0.02) for each package of cigarettes, made of tobacco or any substitute therefor.
- (b) One cent (\$0.01) for each cigar of any description made of tobacco or any substitute therefor.
- (c) One cent (\$0.01) for each sack, can, package, or other container of smoking tobacco, including granulated, plug cut, crimp cut, ready rubbed, and other kinds and forms of tobacco which is prepared in such manner as to be suitable for smoking in a pipe or cigarette.

(d) One cent (\$.01) for each sack, plug, package, or other container of chewing tobacco, which tobacco is prepared in such manner as to be suitable for chewing only and not suitable for smoking as described in subsection (c) of this section.

(e) One cent (\$.01) for each can, bottle, glass, tumbler, package, or other container of snuff made of tobacco or any substitute therefor.

Section 3. The tax herein authorized, when levied in accordance with the provisions of this Act, shall be paid through the use of stamps, bearing the words "Colbert County Public Hospital Tax." Stamps in denominations to the amount of the tax shall be affixed to the box or other container from or in which the tobacco products taxed are normally sold at retail, and shall be affixed in such manner that their removal will require continued application of water or steam; and in case of cigars, chewing tobacco, and like tobacco products, where sales are made from the original box or container, the stamps must be affixed to the box or container in such a way that such stamps shall be torn or mutilated when such containers or boxes are opened for the sale of the tobacco products enclosed therein. In the case of cigarettes, snuff, smoking tobacco, and like tobacco products, sold at retail in any sack, can, bottle, or other such package or container, the required amount of stamps to cover the tax shall be affixed to each individual package or container.

Section 4. If the tax herein authorized is imposed the board of revenue, court of county commissioners, or other like governing body of Colbert County shall provide for the preparation and issuance of stamps by the clerk of the county governing body. When wholesalers or jobbers, who have qualified as such in accordance with any rules and regulations of the county governing body, desire to purchase stamps as prescribed herein for use on taxable tobaccos sold and delivered by them, the county governing body shall allow on such sales of tobacco tax stamps a discount of two percent (2%) of the entire amount of the sale.

Section 5. The board of revenue, court of county commissioners, or other like governing body of Colbert County shall promulgate and adopt such rules and regulations, not inconsistent with the provisions of this Act, as may be necessary for the proper administration and enforcement of the Act. The county governing body shall also provide the necessary officers and employees to collect and enforce the tax, if imposed, and shall fix the compensation of such officers and employees. The compensation of such officers and employees and the expenses necessary and incident to collecting and enforcing the tax shall be paid out of the proceeds of the tax.

Section 6. After the tax herein authorized has been levied in accordance with the provisions of this Act, no person, firm, or corporation shall sell, store, or distribute tobacco or tobacco products which are subject to such tax, without complying with the provisions of this Act and the rules and regulations promulgated and adopted by the county governing body pursuant thereto, and paying any and all tax which such person, firm, or corporation may be liable under this Act. Every person, firm, or corporation selling, storing, or distributing in Colbert County any tobacco or tobacco products shall keep such books, documents, papers, and other such records as will enable the county governing body, or an authorized employee thereof, to determine the amount of the tax due the county under this Act, and such records shall at all reasonable times be open to inspection by the county governing body, or any officer or employee thereof charged with the duty of collecting and enforcing the tax.

Section 7. The proceeds of the tax authorized by this Act, if imposed, less the cost of collection as provided herein, shall be paid into the county treasury, and all revenues arising therefrom shall be appropriated by the county governing body for the use of any public corporation which

may be organized in the county for the purpose of acquiring, constructing, equipping, enlarging, improving, operating, and maintaining a hospital in the county. Such public corporation may pledge any portion of such revenues as security for the payment of the principal of and the interest on any bonds, securities or other notes or evidences of indebtedness heretofore, or which hereafter may be, issued by such corporation for the purpose of acquiring, constructing, equipping, enlarging, and improving a hospital in the county; and any portion of the proceeds of the tax not so pledged shall be used for the support, maintenance, and operation of such hospital.

Section 8. Any person, firm, or corporation subject to the tax hereby authorized, who fails to comply with any rule or regulation promulgated and adopted by the county governing body pursuant to this Act, may be restrained by proper legal proceedings from engaging in business in Colbert County, until he shall have complied with such rules and regulations. Such proceedings shall be instituted in the name of the county.

Section 9. Any person, firm, or corporation who violates any provisions of this Act, or any rules or regulations promulgated and adopted by the county governing body pursuant to this Act, shall, upon conviction thereof, be fined not less than one hundred nor more than five hundred dollars.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective on the first day of the first month next following the date of its enactment.

June 14, 21, 28, July 5c

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Louis A. Eckl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the STANDARD AND TIMES, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14, June 21, June 28, and July 5th, all in the year 1957.

LOUIS A. ECKL.

Sworn to and subscribed before me This July 6th, 1957.

L. H. BAKER.
Notary Public.

Also:

By Mr. Huddleston:

H. 686. Proposing an amendment to the Constitution relating to the compensation of certain officers of Colbert County.

Also:

By Messrs. Crook and McLendon:

H. 687. To propose an amendment to the Constitution of Alabama relative to the industrial development of Bullock County.

Also:

By Messrs. Edwards (Escambia) and Law:

H. 387. To provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 117, 652, 675, 678, 682, 684, 685, 686, 687, and 387—To the Committee on Local Legislation

(The above numbered bills, H. B.'s 686 and 687 were read at length as required by the Constitution.)

REPORTS OF COMMITTEES

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Roberts, Goodwin, Smith, Yarbrough (Autauga), Allen, Newton, Metcalf, Bradford, Flowers, Boutwell, Engelhardt, Shelton, Robison, Givhan, Reeves, Davis (Lowndes), Vann, Skidmore, Davis (Pickens), Eddins, Tate, Little, Grisham, Cooper, Leonard, Yarbrough (Randolph), Lamberth, Jones, Calvin, Hall, James, and Cantrell:

S. 40. To provide that the Attorney General, and his assistants, shall defend all actions, suits, or proceedings brought against the State, or any subdivision thereof, or any school board or board of education, or any member, officer, or employee thereof, or against any school official or employee, involving any act or omission pertaining to the admission or the refusal to admit any person to a school in this State, and shall also, upon request, furnish legal advice and assistance to such boards, or to the members, officers, or employees thereof, or to school officials or employees, upon any matter relating to the commingling of the races in a school in this State; and to make an appropriation for such purposes.

By Messrs. Davis (Lowndes), Allen, Leonard, Engelhardt, Boutwell, Givhan, Lamberth, Eddins, Cooper, Little, Smith, Yarbrough (Randolph), Cantrell, Yarbrough (Autauga), Calvin, Skidmore, Newton, Reeves, Tate, Robison, Hall, Van Antwerp, Jones, Bradford, Goodwin, James, Dyar, Grisham, Davis (Pickens), Vann, Moses, Metcalf, Flowers, Shelton and Roberts:

S. 395. To amend Act No. 201, Regular Session 1955, with respect to the assignment and placement of pupils in the public schools; to establish and regulate the procedure for hearings by boards of education with

respect to the operation of public schools; to authorize the Attorney General to render advice and assistance to local boards of education; to provide that boards of education shall exercise judicial functions with respect to hearings upon the assignment of pupils; to limit the liability of school boards, officials and employees in the exercise of their official responsibilities; to reenact Act No. 201, Regular Session 1955, in all respects except as amended hereby.

By Messrs. Callahan et al:

H. 724. Authorizing, directing and requiring every city and county board of education, the state board of education, and the governing boards of the University of Alabama, the Alabama Polytechnic Institute and Alabama College to employ, upon application, certain retired teachers; providing for the duties and compensation of such teachers; providing for participation in the federal old age and survivors insurance program by such teachers; and making an appropriation out of the special educational trust fund for the purpose of reimbursing the appointing boards for the cost of employing such teachers.

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Boutwell, Shelton, Engelhardt, Smith, James, Robison, Givhan, Reeves, Davis (Lowndes), Vann, Skidmore, Davis (Pickens), Eddins, Tate, Little, Grisham, Cooper, Leonard, Yarbrough (Randolph), Lamberth, Roberts, Calvin, Bradford, Flowers, Cantrell, Goodwin, Yarbrough (Autauga), Allen, Newton and Metcalf (with substitute):

S. 41. To amend further Section 362, Title 52, Code of Alabama (1940), as amended, which defines certain words and phrases used in connection with the provisions of law regulating the Teachers' Retirement System of Alabama.

By Messrs. Bradford, Yarbrough (Autauga), Newton, Engelhardt, Yarbrough (Randolph), Calvin, Jones, Vann, Van Antwerp, Cantrell, Little, Smith, Leonard, Hall, Robison, Flowers, Boutwell, Reeves, Tate, Givhan, Cooper, Eddins, James, Goodwin, Davis (Lowndes), Grisham, Allen, Skidmore, Roberts, Lamberth, Dyar, Davis (Pickens), Moses, Shelton and Metcalf (with substitute):

S. 396. To preserve domestic tranquility, and good order and efficiency in public educational institutions, and to avoid disorder and potential violence within the state by providing for the closing of public schools under certain conditions; to provide assistance for certain children for whom proper public school facilities are not available, and to provide for the transfer or reassignment of teachers and other employees of closed public schools.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Pirkle, Hawkins and Money:

H. 502. Providing that every person, firm, or corporation who sells or furnishes any tractor, scraper, machinery or like roadbuilding equipment of any kind, or part therefor, or repairs thereto, the purchase price of which exceeds Twenty-Five Dollars (\$25.00), shall have a lien for the full price thereof on the vehicle; providing for the recording of such lien and for the enforcement thereof.

Also:

By Messrs. Hawkins, Pirkle and Money:

H. 503. To provide for the recordation of certain conditional sales contracts covering road construction machinery and equipment.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 502 and 503—To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hardy, Gilmer and Hain:

H. 544. To amend Section 348 of Title 51, Code of Alabama (1940):

Also:

By Mr. Hare:

H. 535. To make it unlawful for any person to demand, solicit, or receive, either directly or indirectly, for himself or for any other person, any money, service, or other valuable consideration, for or on account of any appointment to, or the retention of any person in, any office or position of employment in the public service of this State or any political subdivision thereof; and to prescribe penalties for violations of the Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 544—To the Committee on Finance and Taxation

H. 535—To the Committee on Judiciary

RESOLUTION

Messrs. Moses, Lamberth, Leonard, Allen, Yarbrough (Randolph), Skidmore, Newton, Yarbrough (Autauga), Reeves, Givhan, Eddins, Engelhardt, Metcalf, Flowers, Bradford, Goodwin, Smith, Vann, Davis (Pickens), Jones, Cooper, Tate, Hall, Robison, Little, Grisham, Cantrell, Dyar, Calvin, Boutwell, Shelton, Davis (Lowndes), Roberts, and James offered the following Senate Joint Resolution, to-wit:

S. J. R. 63. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING,

That the Legislature and the individual members and officers thereof do hereby record and extend to the members of the legislative delegation from Mobile County their sincere thanks for the delightful seafood dinner enjoyed by them on Tuesday, July 23, at the Whitley Hotel in Montgomery.

RESOLVED FURTHER, that the Secretary of the Senate be directed to send a copy of this resolution to each member of the legislative delegation from Mobile County.

On motion of Mr. Moses, the Rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Fite and Oden:

H. 751. To fix the salary of the State Highway Director.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 751—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 118. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

RECESS

At 12:43 P. M., on motion of Mr. Skidmore, the Senate took a recess until 2 o'clock this afternoon.

Yeas 22; Nays 9.

Yeas:

Messrs.:	Cooper	Leonard	Smith
Allen	Dyar	Metcalf	Van Antwerp
Boutwell	Engelhardt	Moses	Vann
Bradford	Flowers	Reeves	Yarbrough (Autauga)
Calvin	Grisham	Roberts	Yarbrough (Randolph)
Cantrell	Lamberth	Skidmore	

Nays:

Messrs.:	Eddins	Little	Shelton
Davis (<i>Lowndes</i>)	Givhan	Newton	Tate
Davis (<i>Pickens</i>)	Hall		

—9

PAIR ANNOUNCED

Mr. Robison announced that he was paired with Mr. Jones on this vote. Mr. Jones if present would vote "Yea", and he, Mr. Robison would vote "Nay".

AFTERNOON SESSION

TWENTY-SECOND LEGISLATIVE DAY

FRIDAY, JULY 26, 1957

The Senate reassembled at 2:00 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Tate
Cooper	Grisham	Newton	Vann
Davis (<i>Lowndes</i>)	Hall	Reeves	Yarbrough (<i>Autauga</i>)
Davis (<i>Pickens</i>)	James	Roberts	Yarbrough (<i>Randolph</i>)
Dyar	Lamberth	Robison	

—30

MOTION

Mr. Cooper moved that when the Senate adjourns today, it adjourn to meet again Saturday, July 27, 1957 at 12:01 A. M., which motion was lost.

Yeas 9; Nays 18.

Yeas:

Messrs.:	Eddins	Little	Tate
Cooper	Givhan	Shelton	Yarbrough (<i>Autauga</i>)
Davis (<i>Pickens</i>)	Hall		

—9

Nays:

Messrs.:	Flowers	Moses	Skidmore
Allen	Grisham	Newton	Smith
Boutwell	Lamberth	Reeves	Vann
Calvin	Leonard	Roberts	Yarbrough (<i>Randolph</i>)
Dyar	Metcalf	Robison	

—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Harrison, Johnson (Elmore), Law, Franklin, Money, Grouby, Lee (Barbour), Steagall, Hare, Brannan, Pruitt, Goodwyn, Vacca, Huddleston, and Ward:

H. 613. To amend further Section 89 of Title 11, Code of Alabama (1940), which relates to the fees of clerks of the circuit courts in criminal cases.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 613—To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Wood, Stokes, Bassett, Money, Vacca, McNider, Love, Hunt, Branyon, Ward, Taylor, Harvey, Brassell, Fite, Ramey, Payne, Adams (Tallapoosa), Mathison, Edwards (Escambia), Brown (Lamar), Broadfoot, deGraffenried, Martin, Oden, Burkhalter, Lee (Lawrence), Speaks, Dement, Kelly, Gregory, Grouby, Davis, Ferrell, Kendall, Shumate, Selman, Reynolds, Cox, Holliman, Kirkham, Roberts, Franklin, Simon, Hodges, Huddleston, Solomon, Locke (Choctaw), Mathews, Hanby, Hawkins, Dawkins, Brooks and Callahan:

H. 619. To authorize Alabama Highway Authority to finance, by the issuance of its bonds not exceeding \$20,000,000 in principal amount, the State of Alabama's share of the cost of the construction, reconstruction and improvement of public highways and bridges in the state with respect to which funds may be apportioned to the state under the provisions of any statute of the United States, said bonds to be in addition of those heretofore issued by said Authority; to provide that bonds issued under this act and the income therefrom shall be exempt from taxation, and that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that said bonds may hereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of said bonds; to make appropriation and pledge of funds necessary to pay the principal of and interest on said bonds; to authorize said Authority to pledge such funds for payment of the principal of and interest on said bonds; and to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 619—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. deGraffenried:

H. 644. To amend Section 18 of Act No. 375, H. B. 1006, approved September 8, 1955 (Acts of Alabama, Regular Session 1955, page 901), entitled "An Act To Provide for the taking of Depositions of Witnesses or Parties upon oral examination for discovery or for use as evidence; to prescribe the scope of the examination, use of such depositions, effect of using such depositions; to provide a method of compelling the attendance of the person sought to be examined; and to prescribe penalties for the failure of such person to appear for such examination".

Also:

By Messrs. Tyson, deGraffenried, Jenkins, Adams (Tallapoosa), Brannan, McKay, Johnson (Tallapoosa), Mathison, Harrison and Franklin:

H. 299. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 644—To the Committee on Judiciary

H. 299—To the Committee on Constitution and Constitutional Revision and Amendments

(The above numbered bill was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Pirkle, Davis, Cox, Merrill, Jenkins, Ferrell, Roberts, Ashworth, Speaks, Adams (Tallapoosa), Gist, Gregory, Johnson (Elmore), Johnson (Tallapoosa), Lee (Lawrence), Nolen, McClendon, Ramey, Branyon, Brown (Lamar), Solomon, Lee (Barbour), Mathison, Stembridge, Steagall, Payne, Franklin, Hanby, Shumate, Selman, Hardy and Albea:

H. 292. To provide for the prevention, eradication and control of diseases of poultry by authorizing the Department of Agriculture and Industries to establish and maintain poultry disease diagnostic laboratories; to authorize the adoption and execution of a poultry disease control program and to provide that funds appropriated and made available under the General Appropriations Act for poultry disease control may be expended for the purpose of carrying out the provisions of this Act.

And sends same to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 292—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House Bill:

By Messrs. Haltom, Broadfoot, Huddleston, Roberts, Stembridge, Steagall, Mathison, Franklin, Thomas, Ward, Albea, Merrill, Hodges, Martin, Cornett, Lee (Barbour), McClendon, Locke (Choctaw), Rodgers, Stokes, Taylor, Killough, Bassett, Kendall, Edwards (Escambia), Reynolds, Nice, Dickson, Selman, Shumate, Mathews, Summerlin, Dement, Kelly, Vacca, Speaks, Solomon, Brassell, Nolen, Oakley, Nettles, Kirkham, Ramey, Johnson (Tallapoosa), Hunt, Jenkins, Harvey, Hawkins, Branyon, Johnson (Elmore), Ferrell, Gist, Lee (Lawrence), Adams (Tallapoosa), Hare, McNider, Murphy and McLendon:

H. 294. To provide for the further promotion of river development in this State; to create the Alabama River Development Authority; to provide for the selection of the members of the Authority, and to prescribe their powers, duties, terms, qualifications, and compensation; to prescribe the authority and functions of the Authority; to provide for the appointment of an administrator of the Authority, and to prescribe his powers, duties, term, qualifications, and compensation; and to make an appropriation for the purposes of the Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 294—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Harrison, Johnson (Elmore), Law, Franklin, Money, Grouby, Lee (Barbour), Steagall, Hare, Brannan, Pruitt, Goodwyn, Vacca, Huddleston, and Ward:

H. 617. To amend further Section 69 of Title 45, Code of Alabama (1940), which relates to court costs payable out of the convict fund.

Also:

By Messrs. Harrison, Johnson (Elmore), Law, Franklin, Money, Grouby, Lee (Barbour), Steagall, Hare, Brannan, Pruitt, Goodwyn, Vacca, Huddleston, and Ward:

H. 616. To provide for a fixed amount of costs for clerks of the circuit courts, who are ex officio clerks of county courts, law and equity courts and courts of like jurisdiction in Alabama in criminal and quasi criminal cases.

Also:

By Messrs. Harrison, Johnson (Elmore), Law, Franklin, Money, Grouby, Lee (Barbour), Steagall, Hare, Brannan, Pruitt, Goodwyn, Vacca, Huddleston, and Ward:

H. 615. To amend further Section 21 of Title 11, Code of Alabama (1940), which relates to the fees allowed to clerks of circuit courts in civil cases.

Also:

By Messrs. Harrison, Johnson (Elmore), Law, Franklin, Money, Grouby, Lee (Barbour), Steagall, Hare, Brannan, Pruitt, Goodwyn, Vacca, Huddleston, and Ward:

H. 614. To amend further Section 27 of Title 11 of the Code of Alabama 1940, which relates to the fees and commissions allowed registers.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 617, 616, 615, and 614—To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hardy, Gilmer and Hain:

H. 448. Relating to Dallas County: To create and establish in Dallas County a court to be known as the "Dallas County Court"; defining its jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office, and the manner of their selection, appointment and election; regulating its procedure and process; prescribing costs and fees therein; taking criminal jurisdiction away from justice of the peace courts in the county; and providing for the transfer of cases pending in justice of the peace courts at the time this Act takes effect to the court hereby created and the trial of such cases in this court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To create and establish in Dallas County, Alabama, a court to be known as the Dallas County Court; defining the jurisdiction of such

court, and regulating the practice and procedure to be followed in the court; providing for appeals from judgments of the court; fixing the terms of the court, and prescribing the costs and fees to be taxed in cases in the court; providing for the election, appointment, or selection of a judge, solicitor, and other officers and employees of the court, and prescribing their powers, duties, qualifications, compensation, and terms of office; taking away criminal jurisdiction from justice of the peace courts in Dallas County, and conferring it on the Dallas County Court; and providing for the transfer of certain cases pending in justice of the peace courts in Dallas County to the court created herein.

2-9-16-23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for said County in said State, this day personally appeared Mrs. F. T. Raiford, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2nd, May 9th, May 16th, and May 23rd., all in the year 1957.

MRS. F. T. RAIFORD.

Sworn to and subscribed before me this 27th day of May, 1957.

MARCHEL W. YOUNG,
Notary Public,
Dallas County, Alabama.

Also:

By Messrs. Hain, Gilmer and Hardy:

H. 449. To repeal Act No. 25, S. 39, approved September 17, 1932 (Local Acts of Alabama 1932, Extra Session, p. 7), entitled "An Act To establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the Peace, and notaries public with powers of justices of the Peace, in said precinct, to be known as "The Court of Common Pleas of Selma," and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of the judge thereof; to provide for the execution of the process of said court, the issuance of certificates of judgment and the operation thereof; to regulate the procedure in said court, and the appeals therefrom; to provide for the appointment or election of the judge of said court; to fix the qualifications and compensation of said judge and the mode of his election; and term of office; to provide for the payment of the salary of the judge and the expenses of said court; to abolish the office of justice of peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court of all causes pending in the justice of the peace courts in said precinct; to provide that the judge of said court may practice law; to provide for the payment of salaries of the Sheriff and Deputy Solicitor of said County for services rendered said Court; and to fix the costs and fees, and provide for the disposition of costs, fees, fines and forfeitures in said Court."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 25, S. 39, approved September 17, 1932 (Local Acts of Alabama 1932, Extra Session, p. 7), entitled "An Act To establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the Peace, and notaries public with powers of justices of the peace, in said precinct, to be known as "The Court of Common Pleas of Selma", and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of the judge thereof; to provide for the execution of the process of said court, the issuance of certificates of judgment and the operation thereof; to regulate the procedure in said court, and the appeals therefrom; to provide for the appointment or election of the judge of said court; to fix the qualifications and compensation of said judge and the mode of his election; and term of office; to provide for the payment of the salary of the judge and the expenses of said court; to abolish the office of justice of peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court of all causes pending in the justice of the peace courts in said precinct; to provide that the judge of said court may practice law; to provide for the payment of salaries of the Sheriff and Deputy Solicitor of said County for services rendered said Court; and to fix the costs and fees, and provide for the disposition of costs, fees, fines and forfeitures in said Court."

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 25, S. 39, approved September 17, 1932 (Local Acts of Alabama, 1932, Extra Session, p. 7), entitled "An Act To establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the Peace, and notaries public with powers of justices of the peace, in said precinct, to be known as "The Court of Common Pleas of Selma"; and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of the judge thereof; to provide for the execution of the process of said court, the issuance of certificates of judgment and the operation thereof; to regulate the procedure in said court, and the appeals therefrom; to provide for the appointment or election of the judge of said court; to fix the qualifications and compensation of said judge and the mode of his election; and term of office; to provide for the payment of the salary of the Judge and the expenses of said court; to abolish the office of justice of peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court of all causes pending in the justice of the peace courts in said precinct; to provide that the judge of said court may practice law; to provide for the payment of salaries of the Sheriff and Deputy Solicitor of said County for services rendered said Court; and to fix the costs and fees and provide for the disposition of costs, fees, fines and forfeitures in said court", is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

2-9-16-23

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority, a Notary Public in and for said County in said State, this day personally appeared Mrs. F. T. Raiford, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2nd, May 9th, May 16th. and May 23rd., all in the year 1957.

MRS. F. T. RAIFORD.

Sworn to and subscribed before me this 27th. day of May, 1957.

MARCHEL W. YOUNG,
Notary Public, Dallas County, Alabama.

Also:

By Mr. Wood:

H. 671. To authorize the governing body of Washington County, Alabama to pay the sum of Seven Hundred and Fifty Dollars (\$750.00) out of the gasoline tax fund, road and bridge fund or any other fund in the county treasury not otherwise appropriated to reimburse Mrs. Mary K. Martin for medical and other expense in connection with the death of Mary Anna Martin, who died as a result of an automobile accident in a public road in Washington County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
WASHINGTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for the passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the governing body of Washington County, Alabama to pay the sum of Seven Hundred and Fifty Dollars (\$750.00) out of the gasoline tax fund, road and bridge fund or any other fund in the county treasury not otherwise appropriated to reimburse Mrs. Mary K. Martin for medical and other expense in connection with the death of Mary Anna Martin, who died as a result of an automobile accident in a public road in Washington County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Washington County, Alabama is hereby authorized to pay to Mary K. Martin, the mother and administratrix of the estate of Mary Anna Martin, the sum of Seven Hundred and Fifty Dollars (\$750.00) out of the gasoline tax fund, road and bridge fund, or from any other funds in the county treasury not otherwise appropriated, to reimburse her for medical and other expenses expended by her in connection with the death of Mary Anna Martin, who died as a result of injuries received in an automobile accident on a bridge

in Washington County, Alabama, which occurred under circumstances that the county is morally and justly obligated to compensate the said Mary K. Martin, but she has no legal recourse to recover damages from the county.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

5-23-4tc.

STATE OF ALABAMA
WASHINGTON COUNTY

I, Elsie Stallworth, Editor of the Washington County News, a newspaper published at Chatom, Washington County, Alabama do hereby certify that a copy of the Local Bill, Mary A. Martin, as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated May 23, 1957, and ending with the issue dated June 13, 1957. I further certify that I have the right and authority to make this affidavit.

ELSIE STALLWORTH.

Sworn to and subscribed before me on this, the 26 day of June, 1957.

EUNICE DEES BOWLING,
Notary Public.

My commission expires 4-16-58.

Also:

By Mr. Fite:

H. 700. Proposing an amendment to the Constitution relating to Marion County.

Also:

By Mr. Gregory:

H. 732. Relating to Blount County: Creating the Blount County Commission on Education to administer the public schools laws, supervise the public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Oneonta or any of its instrumentalities; abolishing the Board of Education of Blount County and the office of the county superintendent of education; providing for the election of the members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, compensation and prescribing their powers and duties.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Blount County: Creating the Blount County Commission on Education to administer the public schools laws, supervise the

public school system, and promote the educational interests of the county, limiting the jurisdiction of the Commission to schools not subject to the jurisdiction of the City of Oneonta or any of its instrumentalities; abolishing the Board of Education of Blount County and the office of the county superintendent of education; providing for the election of the members of the Commission and for the election of a superintendent of county schools, fixing their terms, qualifications, compensation and prescribing their powers and duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Education and the office of superintendent of education of Blount County are hereby abolished, and there is created in lieu of the Board of Education the Blount County Commission on Education. The Commission on Education shall administer the school laws of the State and County, supervise the public schools and public school system of the county, and shall have and exercise all the rights, powers and duties and privileges vested in and required of county boards of education, except that the Commission shall have no jurisdiction over schools which are subject to and come under the jurisdiction of the City of Oneonta or any of its instrumentalities.

Section 2. Immediately upon the effective date of this Act, the Governor shall appoint five qualified persons as members of the Blount County Commission on Education, who shall hold office until their successors are elected and qualified as herein provided. Two members of the Commission shall be elected by the qualified electors of Blount County at the general election in November, 1960, and every four years thereafter. Three members of the Commission shall be elected at the general election in 1962, and every four years thereafter. Members of the Commission shall take office on the first Monday after the second Tuesday in January next succeeding their election. They shall qualify and be removed in the same manner as members of county boards of education. All members of the Commission shall be elected from the county at large, but only one member shall reside in or be a resident of Beat 36. All members of the Commission shall be, at the time of their election or appointment and during their continuance in office, qualified electors of Blount County. The members of the Commission shall elect a chairman from among their number. Three members shall constitute a quorum.

Section 3. Immediately after the effective date of this Act, the Governor shall appoint some qualified person as superintendent of county schools in Blount County, and such appointee shall hold office until July 1, 1961. A superintendent of county schools shall be elected by the qualified electors of Blount County, at the general election in November, 1960, and every four years thereafter. The superintendent of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment, for political party nominations, or for election to the office of superintendent of county schools who does not hold an A.B. or B.S. degree, and who does not hold an Alabama certificate in administration and supervision based upon requirements established by the State Board of Education for such certificates, and who does not submit proof to the State Superintendent of Education of at least three years of successful education experience as teacher, principal, supervisor, superintendent, educational administrator, or instructor in school administration during the five years next preceding his appointment or election. The superintendent of county schools must be at the time of his election or appointment and during his continuance in office, a qualified elector of Blount County. His term of office shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an

annual salary of not more than Fifty-two Hundred Dollars (\$5200) and necessary travel expense in performance of his official duties not to exceed Seventy-five Dollars (\$75.00) per month. His salary is to be fixed by the Blount County Commission on Education.

Section 4. The members of the Blount County Commission on Education shall receive from the public school funds of the county Ten Dollars (\$10.00) a day for attending commission meetings, and actual traveling and hotel expenses incurred. They shall not be allowed pay or expenses for more than twenty-four days in any one year.

Section 5. The general administration and supervision of the public schools of Blount County, with the exception of the schools of the City of Oneonta, shall be vested in the Blount County Commission on Education. The Commission shall determine the educational policy of the county, and shall prescribe rules and regulations for the conduct and management of the county schools. All the powers, rights, privileges, prerogatives, jurisdiction, and duties vested in or imposed on county boards of education are hereby vested in or imposed on the Blount County Commission on Education.

Section 6. The superintendent of county schools of Blount County shall be the chief executive officer of the Blount County Commission on Education and purchasing agent as directed by the Commission. All the powers, rights, privileges, prerogatives, and duties heretofore vested in or imposed on the county superintendent of education are hereby transferred to the superintendent of county schools. The superintendent shall give bond in such penal sum as may be prescribed by the Blount County Commission on Education, in the manner and with the conditions provided for custodians of county school funds. Any vacancy occurring in his office shall be filled by appointment by the Governor for the unexpired term.

Section 7. It will be the duties and responsibilities of the Commission on Education of Blount County to locate the county school bus barn for maintenance and repair in a central located area at the discretion of the Commission.

Section 8. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

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Lowell Gregory
Rep. Blount County

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive

weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1957.

RICE M. HOWARD.

Sworn to and subscribed before me July 11, 1957.

FRANCES HENDERSON,
Notary Public.

Also:

By Mr. Brannan:

H. 734. Relating to all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties.

Also:

By Mr. Franklin:

H. 737. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; providing for the division of such counties into districts; providing for the election of one member of the governing body of each such county from each of such districts; prescribing the powers and duties of the governing bodies of such counties, and the qualifications, terms of office, compensation, and manner of election of the members thereof; and excepting the judge of probate or other chairman of the governing body of each such county from the operation of the Act.

Also:

By Mr. Davis:

H. 740. To prohibit incorporated municipalities in all counties having a population of not less than 49,000 nor more than 50,000, according to the last or any subsequent federal decennial census, from enacting any ordinance levying a gasoline tax unless the levying or imposing of such tax shall have been authorized before the enactment of such ordinance by a vote of the qualified electors of such city or town at an election held for such purpose.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 448, 449, 671, 700, 732, 734, 737, and 740—To the Committee on Local Legislation

(The above numbered bill, H. B. 700 was read at length as required by the constitution.)

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-second Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-second Legislative Day was approved by the Senate.

ADJOURNMENT

At 2:58 P. M., on motion of Mr. Givhan, pending further consideration of S. R. 61, S. R. 54 and S. B. 119, the Senate adjourned until Tuesday, July 30, 1957 at 12 o'clock Noon.

Yeas 16; Nays 13.

Yeas:

Messrs.:	Eddins	James	Tate
Cooper	Engelhardt	Little	Vann
Davis (Lowndes)	Givhan	Newton	Yarbrough (Autauga)
Davis (Pickens)	Hall	Shelton	Yarbrough (Randolph)
Dyar			—16

Nays:

Messrs.:	Flowers	Metcalf	Roberts
Allen	Grisham	Moses	Skidmore
Boutwell	Lamberth	Reeves	Smith
Calvin	Leonard		—13

PAIRED VOTE ANNOUNCED

Mr. Robison announced that he was paired with Mr. Jones on this vote. Mr. Jones if present would vote "Yea" and he, Mr. Robison would vote "Nay".

TWENTY-THIRD LEGISLATIVE DAY

TUESDAY, JULY 30, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Joseph G. McArdle, Pastor, St. Bede's Catholic Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bill with the original Senate Bill, respectively, and finds same correctly enrolled, to-wit:

S. 118. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

A. C. SHELTON,
Chairman.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing report from the Committee on Enrolled Bills.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the State Board of Pensions and Security.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 30, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as members of the State Board of Pensions and Security:

Mrs. Aubrey A. Taylor—Sylacauga—For the term expiring August 28, 1959, succeeding Mrs. Mildred White Wallace, resigned.

Mrs. C. F. Halstead—Montgomery—For the term expiring August 28, 1957, succeeding Mrs. John S. Tilley, resigned.

Honorable Tom Blake Howle—Anniston—For the term expiring August 28, 1961.

Dr. J. J. Walls—Alexander City—For the term expiring August 28, 1961.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended and the Senate confirmed the appointments of the following as members of the State Board of Pensions and Security:

Mrs. Aubrey A. Taylor—Sylacauga

Mrs. C. F. Halstead—Montgomery

Honorable Tom Blake Howle—Anniston

Dr. J. J. Walls—Alexander City

which said appointments are set out in the foregoing message from His Excellency the Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Ferrell:

H. 741. To alter or re-arrange the boundary lines of the Town of Geraldine, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Notice is hereby given that bill will be introduced and an effort made to secure its enactment into law at the next regular session of the Legislature of Alabama, which convenes on May 7, 1957, to alter and re-arrange the boundary lines of the Town of Geraldine, Alabama. Said bill is in substance as follows:

To alter or re-arrange the boundary lines of the Town of Geraldine, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

Be It Enacted by the Legislature of Alabama:

Section One. That the boundary lines and corporate limits of the Town of Geraldine, in DeKalb County, Alabama, be and the same are hereby extended, altered and re-arranged by adding to the corporate limits as they now exist and including within said corporate limits of the Town of Geraldine in addition to the present territory within said corporate limits, the following described territory, to-wit:

The Southwest Fourth of the Southwest Fourth Section 3, Township 8, Range 6 East; the Northwest Fourth of Section 10, Township 8, Range 6 East; The Northeast Fourth of the Southeast Fourth, Section 9, Township 8, Range 6 East; the Northeast Fourth of the Northeast Fourth, Section 16, Township 8, Range 6 East; the Northwest Fourth of the Northwest Fourth of Section 15, Township 8, Range 6 East.

Section Two. That all laws or parts of laws in conflict with the provisions of this act are hereby repealed.

Section Three. This act shall take effect immediately upon its passage and approval of the Governor, or its otherwise becoming a law.

5-13-2tJ.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Bobby R. Day, publisher of Fort Payne Journal, a newspaper published in Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto attached, was published in said newspaper in its issues of May 13, May 20, May 27, and June 3, 1957.

BOBBY R. DAY.
Publisher

Sworn to and subscribed before me this 10 day of June, 1957.

JOSEPH C. KELLETT,
Notary Public.

My commission expires 9/30/1957.

Also:

By Mr. Stembridge:

H. 742. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196) is hereby amended to read as follows:

"Section 26. CORRUPT PRACTICES. (a) No person shall make any false statement, certificate, mark, rating or report with regard to any test, certification or appointment made under any provision of this Act or in any manner commit or attempt to commit any fraud preventing the impartial execution of the provision of this Act, and the prescribed Rules and Regulations.

"(b) No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for or on account of any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the Classified Service.

"(c) No employee of the Department or other person shall defeat, deceive, or obstruct any person in his right to an examination, eligibility, certification or appointment under the provisions of this Act, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any persons with respect to employment in the Classified Service.

"(d) No person shall be appointed or employed in any position in the Classified Service as defined in this Act in a department of the City if such person is related by blood or marriage within the fourth degree to the commissioner who is then in charge of such department or to the department head of such department. This provision shall not be construed to require the dismissal of any employee in said Classified Service where, subsequent to his original employment in such service, the department head or commissioner of the department in which such employee is working may be related to such employee by blood or marriage within the fourth degree. The commission of any such corrupt practice shall constitute a misdemeanor and shall be punished in the manner provided by the general laws of the State."

Section 2. This Act shall become effectively immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

June 18, 25, July 2, 9, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Nat C. Faulk, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks

without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1957.

NAT C. FAULK.

Sworn to and subscribed before me July 9, 1957.

J. T. LANE, JR.,
Notary Public.

Also:

By Messrs. Broadfoot and Haltom:

H. 749. Providing for the submission to the qualified voters of Lauderdale County the question of whether or not an annual license tax and registration fee shall be levied in the amount of \$5.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of Lauderdale County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Lauderdale County with the concurrence of the governing body of the City of Florence, for a period not exceeding 10 years; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Lauderdale County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Lauderdale County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing additions to, improvements in and equipment for the Eliza Coffee Memorial Hospital or the payment of principal of or interest on any obligations or indebtedness incurred for such purpose and for the payment of said net proceeds to a public hospital corporation in the event said hospital shall be acquired by such hospital corporation, and repealing all laws in conflict therewith.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given of the intention to apply at the present session of the Legislature of Alabama for the passage of a local law providing in substance as follows:

A BILL TO BE ENTITLED AN ACT

Providing for the submission to the qualified voters of Lauderdale County the question of whether or not an annual license tax and registration fee shall be levied in the amount of \$5.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of Lauderdale County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by

said voters, authorizing and providing for the levying of said tax by the governing body of Lauderdale County with the concurrence of the governing body of the City of Florence, for a period not exceeding 10 years; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the State and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Lauderdale County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Lauderdale County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing additions to, improvements in and equipment for the Eliza Coffee Memorial Hospital or the payment of principal of or interest on any obligations or indebtedness incurred for such purpose and for the payment of said net proceeds to a public hospital corporation in the event said Hospital shall be acquired by such hospital corporation, and repealing all laws in conflict therewith.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of Lauderdale County is authorized to call an election of the qualified voters of said county to determine whether or not a special county license tax and registration fee shall be levied as hereinafter provided. The election provided for herein shall be called, held, conducted and canvassed and may be contested in the same manner as provided by law for the calling, holding, conducting and canvassing of county bond elections, provided, however, the notice of election need be published only once a week in each of two consecutive weeks, the first such publication to be not less than ten days prior to the date of the election. Elections to authorize the levy of said special county license tax and registration fee may be held as often as ordered by the governing body of Lauderdale County, but if the proposition is submitted to the voters and is defeated, another election shall not be held in one year thereafter.

Section 2. The governing body of Lauderdale County shall declare the results of the election and, if a majority of the qualified voters participating at an election are found to have voted for the levy of the special license tax and registration fee, and if the governing body of the City of Florence files with the governing body of Lauderdale County a certified copy of a duly adopted resolution so requesting, the governing body of Lauderdale County may levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Lauderdale County and upon every such vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county. The county license tax and registration fee shall become due on the due date of the state license and registration fee levied under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940, or any laws amendatory thereof or supplementary thereto, next following the levy of said county license tax and registration fee by the governing body of Lauderdale County, and on the same day in each year thereafter for a period of not to exceed ten years from the first date on which said tax and fee became due.

Section 3. The Judge of Probate of Lauderdale County shall collect the annual license tax and registration fee authorized by this Act from

the owner of the motor vehicle at the time he collects the state license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama, 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Lauderdale County, but the Judge of Probate shall not be allowed any fee for collecting the county license tax and registration fee. Until the county license tax and registration fee has been paid, the Judge of Probate shall not issue a motor vehicle license tag for use on any motor vehicle upon which a license tax and registration fee is imposed pursuant to this Act.

Section 4. Motor vehicles owned and used by the state, and counties or municipalities of this state, shall not be liable for the payment of the county license tax and registration fee authorized by this Act.

Section 5. Statutes providing for the purchase of any motor vehicle license on a monthly declining or half-year basis shall not apply to the license tax and registration fee authorized by this Act.

Section 6. The purchaser of any motor vehicle shall have four days from the date of acquisition within which to pay the county license tax and registration fee authorized herein.

Section 7. The governing body of Lauderdale County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the county license tax and registration fee authorized by this Act and to expend so much of the proceeds thereof as may be necessary to collect and enforce the tax and to provide for the evidence of the payment thereof.

Section 8. No motor vehicle upon which a county license tax and registration fee is imposed pursuant to this Act shall be operated upon the public highways of Lauderdale County until said tax and fee shall have been paid as herein provided.

Section 9. The proceeds of the county license tax and registration fee authorized by this Act, less the cost of collecting, administering and providing the evidence of the payment thereof, shall be used solely for the purpose of providing additions to, improvements in and equipment for the Eliza Coffee Memorial Hospital, a public hospital which is now jointly operated by the City of Florence and Lauderdale County, or for the purpose of paying the principal of or interest on any obligations or indebtedness incurred for such purpose. In the event the Eliza Coffee Memorial Hospital shall be acquired by a public hospital corporation, organized under the laws of the State of Alabama heretofore or hereafter enacted, the net proceeds of said county license tax and registration fee shall be paid over to such public hospital corporation for the aforesaid purposes and, within fifteen days after the end of each month, the Judge of Probate of Lauderdale County shall turn over the net proceeds thereof to said public hospital corporation, whose duty it shall be to receipt therefor.

Section 10. All laws or parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming law.

June 14, 21, 28; July 5c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 14th, June 21st, June 28th, and July 5th, all in the year 1957.

D. H. BOWLING.
Advertising Manager.

Sworn to and subscribed before me July 10th, 1957.

L. H. BAKER,
Notary Public.

My commission expires July 25, 1959

Also:

By Messrs. deGraffenried and Callahan:

H. 763. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given that at the present session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama, be changed and extended to include the following additional adjacent territory:

Parcel I. As a point of beginning start at the intersection of the West boundary of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of Section 20, Township 21 South, Range 9 West, and the South boundary of the right-of-way of the Alabama Great Southern Railroad, which point is on the present eastern boundary of the City of Tuscaloosa; thence Eastwardly along the South boundary of the right-of-way of the Alabama Great Southern Railroad to its intersection with the West or Northwest boundary of the Pelham Loop Road; thence Southwestwardly along the Northwest boundary of said Pelham Loop Road to its intersection with the West boundary of Section 28, Township 21 South, Range 9 West; thence Northwardly along the West boundary of said Section 28, to the Northwest corner of said Section

28; thence Northwardly along the East boundary of said Section 20, to the North boundary of Fifteenth Street; thence Westwardly along the North boundary of Fifteenth Street to the Southeast corner of Lot 1 of the Freemont Drive No. 1 Survey, a plat of which is recorded in Plat Book 5, at Page 52, in the Probate Office of Tuscaloosa County, Alabama, which point is on the Eastern boundary line of the present city limits; thence Northwardly along the East boundary of said Lot 1 and also the West boundary of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of said Section 20 to the point of beginning.

Parcel II. As a point of beginning start at the intersection of the West boundary of Section 28, Township 21 South, Range 9 West, and the North or Northwest boundary of the Pelham Loop Road; thence Northeastwardly along the Northwest boundary of said Pelham Loop Road to an intersection with the South boundary of the right-of-way of the Alabama Great Southern Railroad; thence Eastwardly along the South boundary of the right-of-way of the Alabama Great Southern Railroad to its intersection with the East-boundary of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$) of Section 28, Township 21 South, Range 9 West; thence Southwardly along the East boundary of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$) to the Southeast corner of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$); thence Westwardly along the South boundary of the said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$) to the Southwest corner of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$); thence Southwardly along the East boundary of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$) of said Section 28, to the Southeast corner of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Westwardly along the South boundary of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$) and the South boundary of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) and the South boundary of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of the SW $\frac{1}{4}$), all being in said Section 28, to the Southwest corner of said Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of the SW $\frac{1}{4}$); thence Southwardly along the West boundary of said Section 28 to the Southwest corner of said Section 28; thence Southwardly along the West boundary of Section 33, Township 21 South, Range 9 West, for a distance of 265.5 feet to a point; thence Eastwardly and parallel to the north boundary of said Section 33 for a distance of 420.0 feet to a point; thence Southwardly and parallel to the West boundary of said Section 33 for a distance of 420.0 feet to a point; thence Eastwardly and parallel to the North boundary of said Section 33 for a distance of 922.0 feet to a point on the East boundary of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) of said Section 33; thence Southwardly along the East boundary of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) for a distance of 51.0 feet to a point; thence Westwardly and parallel to the South boundary of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) to a point on the West boundary of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$); thence Southwardly along the West boundary of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) for a distance of 175.0 feet to the Southwest corner of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$); thence continue Southwardly along the East boundary of the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$) of Section 32, Township 21 South, Range 9 West, for a distance of 515.0 feet to a point; thence Westwardly and parallel to the North boundary of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$)

to the West boundary of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$); thence Northwardly along the West boundary of said Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ of the NE $\frac{1}{4}$) and the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of the NE $\frac{1}{4}$) of said Section 32, to the Northwest corner of said Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of the NE $\frac{1}{4}$); thence continue Northwardly along the West boundary of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of Section 29, Township 21 South, Range 9 West to the Northwest corner of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Eastwardly along the North boundary of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$) to the Southwest corner of the East Half of the Northeast Quarter of the Southeast Quarter (E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of said Section 29; thence Northwardly along the West boundary of said East Half of the Northeast Quarter of the Southeast Quarter (E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$) to the Northwest corner of the East Half of the Northeast Quarter of the Southeast Quarter (E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Eastwardly along the North boundary of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of the SE $\frac{1}{4}$) to the Northeast corner of said Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Northwardly along the West boundary of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) of said Section 28, to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 13-20-27-July 4-4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Eugene L. Hamilton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1957.

EUGENE L. HAMILTON.

Sworn to and subscribed before me July 9, 1957.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. deGraffenried and Callahan:

H. 764. To alter, re-arrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama..

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given that at the present session of the Legislature of Alabama, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Corporate Limits of the City of Tuscaloosa, Tuscaloosa County, Alabama be changed and extended to include the following additional adjacent territory:

As a point of beginning start at the Northeast corner of Lot 51 of the Resurvey No. 2 of the M. R. Bettis Survey, a plat of which is recorded in Plat Book 4, at page 196, in the Probate Office of Tuscaloosa County, Alabama; thence Northwardly along the prolongation of the line dividing Lots 50 and 51 of said M. R. Bettis Survey, for a distance of 298.1 feet; thence turn 83 degrees and 03 minutes to the right and run in a Northeasterly direction for a distance of 200.4 feet to a point on the Western margin of the Old Birmingham-Tuscaloosa Highway, which is 178.9 feet Northwardly from the concrete right-of-way marker numbered 2007 plus 08.8; thence Southwardly along the Western margin of the Old Tuscaloosa-Birmingham Highway to the Northeast corner of Lot 1 of said M. R. Bettis Subdivision; thence Westwardly along the North boundary of Lots 1 and 50 of the M. R. Bettis Subdivision to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 13-20-27, July 4—4TC

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Eugene L. Hamilton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1957.

EUGENE L. HAMILTON.

Sworn to and subscribed before me July 9, 1957.

LILLA COLLINS,
Notary Public.

Also:

By Mr. Davis:

H. 767. To amend Act No. 86, Local Acts of the Legislature of Alabama, Regular Session, 1949, providing for the appointment of a deputy Register of the Circuit Court in Equity of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy Register and to designate the method of payment and fund from which said compensation and salary is payable. To repeal all laws in conflict with the provisions of this Act; to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 86, Local Acts of the Legislature of Alabama Regular Session, 1949, providing for the appointment of a deputy Register of the Circuit Court in Equity of Cullman County, Alabama; to prescribe the duties, powers and authority and fix the compensation and salary of such deputy Register and to designate the method of payment and the fund from which said compensation and salary is payable. To repeal all laws in conflict with the provisions of this Act, to provide that the partial invalidity of this Act shall not affect the remainder hereof; and to fix the time when this Act shall become effective.

That Section No. 1 of said act be amended to read as follows:

Be It Enacted by the Legislature of Alabama:

Section 1. That the Register of the Circuit Court in Equity of Cullman County, Alabama, shall appoint a deputy Register for said Court; said Deputy Register to serve at the will or pleasure of the Register of said Court; that said deputy Register shall be paid a salary of not less than \$175.00 or not more than \$200.00 per month by the County of Cullman out of the general funds of said County. That all other provisions of said act shall remain in full force and effect.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Rep. Bryce C. Davis

May 29—June 5-12-19.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1957.

ROBERT BRYAN,

Sworn to and subscribed before me June 24, 1957.

MARIE W. BERGIN,
Notary Public.

My commission expires 3/29/61.

Also:

By Mr. Stokes:

H. 771. To alter, rearrange and extend the boundaries of the City of Elba in Coffee County.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF COFFEE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

To alter, rearrange and extend the boundaries of the City of Elba in Coffee County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Elba in Coffee County are hereby altered, rearranged and extended so as to include within the corporate limits of said municipality all of the following described lands, lying and being in Coffee County, Alabama, to wit: Sections 4, 5, 6, 7, 8, 9, 16, 17, and 18 and the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 19, the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 20, the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 21, all in Township 5, Range 20 E. Also Sections 1, 12, and 13, and the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, NE $\frac{1}{4}$ of NW $\frac{1}{4}$, NW $\frac{1}{4}$ of NE $\frac{1}{4}$, NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 24, all in Township 5, Range 19 E.

Section 2. All farm land annexed to the City of Elba by this Act, together with all improvements thereon and the appurtenances there unto appertaining, shall be exempt from all ad valorem taxation by the City of Elba during the time such property is used for farming purposes.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-13—6-20—6-27—7-4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COFFEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Thorne Lane, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Editor of the Elba Clipper, a newspaper of general circulation published in Coffee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13th, June 20th, June 27th, and July 4th, all in the year 1957.

THORNE LANE.

Sworn to and subscribed before me July 8th, 1957.

JACKSON FIKES,
Notary Public.

Also:

By Messrs. Reynolds and Roberts:

H. 774. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances, and compensation of the judge of probate and other county officers of Madison County.

Also:

By Messrs. Vacca, Nice, Edwards (Jefferson), Lackey, Adams (Jefferson), Perry and Kaul:

H. 743. To fix the fee and allowance of the Sheriff of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving a summons or other mesne process, except subpoenas for witnesses; repealing conflicting laws.

Also:

By Messrs. Kaul, Edwards (Jefferson), Adams (Jefferson), Lackey, Vacca, Nice and Perry:

H. 744. To provide for the relief of the Estate of William Henry Tennyson out of the General Fund of Jefferson County, Alabama, and to direct Jefferson County, Alabama to pay to the Administratrix of the Estate of William Henry Tennyson the sum of Three Thousand Dollars (\$3,000.00).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of the Estate of William Henry Tennyson out of the General Fund of Jefferson County, Alabama, and to direct

Jefferson County, Alabama to pay to the Administratrix of the Estate of William Henry Tennyson the sum of Three Thousand Dollars (\$3,000.00).

Be It Enacted by the Legislature of Alabama:

Section 1. That the County Commission of Jefferson County, Alabama, is hereby authorized and directed to draw or cause to be drawn a warrant on the Treasurer of Jefferson County, Alabama, payable to Ada Tennyson, as Administratrix of the Estate of William Henry Tennyson, the sum of Three Thousand Dollars (\$3,000.00) to compensate the Estate of the said William Henry Tennyson for his death which occurred on January 4, 1957 on the Flat Top Road in Jefferson County, Alabama, while the said William Henry Tennyson was engaged within his employment by Jefferson County, Alabama, at which time and place he was killed by an automobile. The Treasurer of Jefferson County, Alabama, is hereby directed to pay such warrant to the said Ada Tennyson, as Administratrix of the Estate of William Henry Tennyson out of such funds not otherwise appropriated.

Section 2. That this Act shall begin immediately upon its passage or approval by the Governor, or its otherwise becoming a law.
Messenger—June 8, 15, 22, 29, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 8, 15, 22, 29, 1957, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE.
Publisher

Sworn and subscribed to on this the 1 day of July, 1957.

BILLIE FOSTER,
Notary Public.

Also:

By Messrs. Nice, Vacca, Lackey, Edwards (Jefferson), Perry, Kaul and Adams (Jefferson):

H. 745. To apply to all counties having a population in excess of 500,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the licensing of persons engaged in the business of cleaning septic tanks; imposing license and permit fees; providing for enforcement of the Act and prescribing penalties.

Also:

By Messrs. Vacca, Edwards (Jefferson), Lackey, Adams (Jefferson), Perry and Kaul:

H. 746. To fix the fee and allowance of the Constables of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving any summons or other mesne process, except subpoenas for

witnesses, where the amount in controversy is Twenty Dollars (\$20.00) or more; repealing conflicting laws.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 741, 742, 749, 763, 764, 767, 771, 774, 743, 744, 745, and 746—to the Committee on Local Legislation

(The above numbered bill, H. B. 774 was read at length as required by the Constitution.)

RESOLUTION

Mr. Skidmore offered the following Senate Joint Resolution, to-wit:

S. J. R. 64. WHEREAS, Dick Callahan of Tuscaloosa, Alabama, is the State winner of the Teen-age Road-E-O sponsored by the National Jaycee organization, and will be a contestant, representing Alabama in the national contest to be held in Washington, D. C., and

WHEREAS, Dick Callahan has been selected to appear in Washington three days prior to the contest to represent all of the national contestants on pre-publicity and photographs, and

WHEREAS, the Legislature desires to send its felicitations and best wishes to Dick Callahan, and

WHEREAS, the said Dick Callahan exemplifies all that is high and honorable in the youth of Alabama.

NOW, THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses thereof concurring, that we do congratulate the said Dick Callahan on his winning the State contest and that we do wish him every success in the national contest to be held in Washington, D. C.

BE IT FURTHER RESOLVED that the Governor of Alabama be requested to send a Highway Patrolman to Washington, D. C. to accompany the said Dick Callahan and to advise and counsel with him during his stay in Washington.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the said Dick Callahan and that a copy be forwarded to the Honorable Warren Taylor, Manager, Safety and Health Department, U. S. Junior Chamber of Commerce in Tulsa, Oklahoma.

On motion of Mr. Skidmore, the Rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 63. Thanking the legislative delegation from Mobile for the delightful seafood dinner on Tuesday, July 23, at the Whitley Hotel.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Adams (Tallapoosa) and Johnson:

H. J. R. 63. Whereas Lieutenant General Thomas W. Herren, of the United States Army, is a native of Dadeville, Alabama, and a graduate of the University of Alabama; and

Whereas General Herren was an outstanding combat commander in three wars, and, during his more than forty years of active service, has proved himself highly effective not only as a leader of men, but also as a military educator, administrator, and Logistician; and

Whereas General Herren, through his substantial achievements, has earned many medals and honors during his Army career, and has thereby brought honor to his native State; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature do hereby commend Lieutenant General Thomas W. Herren for the outstanding service which he has rendered our Nation and State during his exemplary Army career, and extend to him their best wishes for his continued success, upon his retirement from the service, on July 31, 1957.

Be it further resolved that the Clerk of the House transmit a duly authenticated copy of this resolution to General Herren, at his present post as Commanding General, First Army, Fort Jay, New York.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Lamberth, the Rules were suspended, and the Resolution, H. J. R. 63, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Stokes:

H. J. R. 62. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the bridge which crosses the Pea River in Coffee County, and is on highway project number S-782(2), is hereby designated and shall be known as "The Joshua Marion Folsom Memorial Bridge," in honor of Joshua Marion Folsom, who was the father of the present Governor of the State of Alabama, and who served Coffee County faithfully and well as tax collector, county commissioner, and deputy sheriff.

Be it further resolved that the State Highway Department is requested to erect at or attach to this bridge appropriate plaques or markers showing its designation as "The Joshua Marion Folsom Memorial Bridge."

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Reeves, the Rules were suspended, and the Resolution, H. J. R. 62, set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has received the accompanying message from His Excellency, the Governor, proposing an amendment to the resolution:

H. J. R. 8. Relative to memorializing Congress to enact legislation providing for the payment to each state of one percent of the federal income tax payments collected by the district director of internal revenue from such state, such sum to be paid over to the superintendent of education of the various states by the district director of internal revenue for use in the public schools of the states and for other educational purposes.

Said Governor's message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to House Joint Resolution No. 8.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

JULY 16, 1957

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this resolution originated, House Joint Resolution No. 8, with a suggested executive amendment, as follows:

Amend said resolution by striking therefrom Section (1) in its entirety and substituting in lieu thereof Section (1) to read as follows:

"(1))That the Congress of the United States is hereby memorialized to enact legislation providing for the payment to each state of one percent of the federal income tax payments collected by the district director of internal revenue from such state, such sum to be paid by the dis-

strict collector of internal revenue into the general treasury of the respective states to be appropriated by the Legislatures of the respective states for the general welfare and benefit of the people of said states."

There is a precedent for this action. President Andrew Jackson, during his administration, returned surpluses in the United States Treasury to the various states for the Legislatures to appropriate at the state level.

Respectfully,

JAMES E. FOLSOM,
Governor.

And the House has concurred in and adopted the amendment proposed by the Governor to the Resolution by a vote of Yeas 86; Nays 0, which was a majority of the whole number elected to the House.

As amended by the amendment proposed by His Excellency, the Governor, the resolution was read again at length and adopted by a vote of Yeas 74; Nays 0, which was a majority of the whole number elected to the House.

And said resolution, together with the amendment proposed by His Excellency, the Governor, is herewith sent to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE AND GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Senate concurred in and adopted the amendment proposed by His Excellency, The Governor, to the Resolution, H. J. R. 8, the title of which and said proposed amendment is set out in the foregoing Message from the House.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	James	Roberts
Allen	Dyar	Jones	Robison
Boutwell	Eddins	Lamberth	Shelton
Bradford	Engelhardt	Leonard	Skidmore
Calvin	Flowers	Metcalf	Smith
Cooper	Goodwin	Moses	Yarbrough (Randolph)
Davis (Lowndes)	Grisham	Reeves	—26

Nays:

—0

Which was a majority of the whole number elected to the Senate.

And said Resolution, as thus amended by Executive Amendment, was again read at length and was concurred in and adopted by the Senate.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Goodwin	Metcalf
Allen	Dyar	Grisham	Reeves
Boutwell	Eddins	James	Roberts
Calvin	Engelhardt	Jones	Robison
Cooper	Flowers	Lamberth	Skidmore
Davis (Lowndes)	Givhan	Leonard	Yarbrough (Randolph)
			—23

Nays:

—0

Which was a majority of the whole number elected to the Senate.

RECESS

At 12:55 P. M., on motion of Mr. Cooper, the Senate took a recess until 2:30 o'clock this afternoon.

Yeas 19; Nays 12.

Yeas:

Messrs.:	Davis (<i>Pickens</i>)	Hall	Moses
Allen	Eddins	James	Reeves
Bradford	Engelhardt	Jones	Roberts
Cooper	Flowers	Lamberth	Shelton
Davis (<i>Lowndes</i>)	Givhan	Leonard	Tate

—19

Nays:

Messrs.:	Goodwin	Newton	Smith
Boutwell	Grisham	Robison	Yarbrough (<i>Autauga</i>)
Calvin	Metcalf	Skidmore	Yarbrough (<i>Randolph</i>)
Dyar			

—12

AFTERNOON SESSION

TWENTY-THIRD LEGISLATIVE DAY

TUESDAY, JULY 30, 1957

The Senate reassembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

President:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (<i>Lowndes</i>)	Hall	Reeves	Yarbrough (<i>Autauga</i>)
Davis (<i>Pickens</i>)	James	Roberts	Yarbrough (<i>Randolph</i>)

—35

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Summerlin:

H. J. R. 70. Whereas, for many years the moving picture industry through deference to the mores and customs of many of the citizens of this country, and particularly of the South, has refrained from producing and showing motion pictures featuring interracial romances;

Whereas, 20th Century Fox has recently released a film produced by Daryl Zanuck, entitled "Island In The Sun," which features romantic relationships between members of the white and Negro races;

Whereas, if this film is a financial success it will open the floodgates for a deluge of similar interracial filth;

Whereas, the showing of such movies will have a detrimental effect on all who see them, will tend to destroy the race-pride which has contributed immeasurably to the progress of our whole Nation, will tend to inflame emotions and create social unrest and tension, and

Whereas, the making and showing of such films will be most pleasing to the Communists and other un-American organizations and to all intents and purposes will amount to another tactic in their campaign to brainwash the American public into acceptance of mongrelization; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. The producing and showing of motion pictures featuring courtships and romantic relations between members of different races is hereby deplored and condemned.

2. All motion picture producers are hereby urged to continue their long-established and wise policy of refraining from making such pictures.

3. All actors and actresses are urged to refuse to play any part in any picture involving such relations between members of the white and Negro race.

4. All theatre owners are urged to refuse to show "Island In The Sun" or any other film featuring an interracial romance, and also to refuse to show other films produced by such companies.

5. All patriotic citizens are urged to refuse to see "Island In The Sun" or any similar film, or any other film featuring the actors and actresses participating in shows of the kind hereby condemned, and not to buy or listen to recordings made by such actors.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 70, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Lee (Barbour):

H. J. R. 68. Whereas the National Encampment of the Veterans of Foreign Wars will be held at Miami, Florida, in August of this year; and

Whereas the Department of the State of Alabama, as a consequence of the leadership of this State's organization in V. F. W. activities, will head the V. F. W. parade to be held on the night of Tuesday, August 27, 1957; and

Whereas a number of the members of the Legislature are members of this outstanding veterans organization, and desire to participate in the said parade; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the Legislature, if it is in session on Tuesday, August 27, 1957, will recess at one o'clock, P. M., on such date, so that the members of the

Legislature who are planning to attend the V. F. W. National Encampment may leave in time to participate in the parade to be held on the evening of the aforesaid date.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 68, set out in the foregoing Message from the House was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Hare, Kendall, Summerlin and Fite:

H. J. R. 69. WHEREAS, in the recent death of W. W. Garrett of Monroe County the State of Alabama suffered the loss of an outstanding citizen and

WHEREAS, during his sixteen years of outstanding service in both Houses of this Legislature he conceived, promoted, and brought into being our fine system of Regional Agricultural Coliseums together with the magnificent Alabama State Coliseum in the Capitol City of Alabama and

WHEREAS, these valuable additions to our agricultural economy would never have been erected without the strength of his purpose and the force of his personality

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING,

that the Commissioner of Agriculture of the State of Alabama be and is hereby memorialized to cause to be hung in a prominent place in the Alabama State Coliseum in the City of Montgomery, a portrait of the late W. W. Garrett, with an explanatory plaque attached thereto.

BE IT FURTHER RESOLVED that copies of this resolution be furnished to the family of the late W. W. Garrett and to the members of the State Board of Agriculture.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Rules were suspended, and the Senate concurred in and adopted the Resolution, H. J. R. 69, which said resolution is set out in the foregoing Message from the House.

RESOLUTION

Mr. Davis (Pickens) offered the following Senate Joint Resolution, to-wit:

S. J. R. 65. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the members of the Legislature have learned with the deepest regret of the recent death of Mrs. Emma Parker, of Gordo, the mother-in-law of Representative Ralph Windle, and do hereby extend their sincere sympathy to Mr. and Mrs. Windle and their family for their great loss.

On motion of Mr. Davis (Pickens), the rules were suspended, and the Resolution, S. J. R. 65 adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

I have been directed by the House to request the Senate to return to the House for further consideration the bill:

H. 675. To provide for and regulate the use or disposition of certain real estate acquired by the State of Alabama for highway right of way purposes for use in constructing a road, highway, or parkway from Gulf Shores to Fort Morgan in Baldwin County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Jones, the Senate acceded to the request of the House for the return thereto of the bill, H. B. 675, the title of which is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Callahan and deGraffenried:

H. 837. To authorize and regulate the micro-filming, photostating or other photographic reproduction of books, records, papers and documents required to be maintained and kept by municipal clerks, municipal recorders, municipal police departments, and other agencies or other instrumentalities of all municipalities in counties in this State having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand according to the last or any subsequent federal decennial census, the destruction or other disposition of the originals of such books, records, papers and documents, and the substitution of such reproductions for the originals thereof; prescribing the force and effect such reproductions shall have and providing for the certification of copies thereof.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 837—to the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Burkhalter:

H. 777. To amend Section 5 of Act No. 163, Local Acts of Alabama 1943, entitled "An Act to establish a Law and Equity Court for Cherokee County, Alabama; to define its jurisdiction and powers; to provide for

its officers, their powers and duties and compensations, to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Juvenile Court of Cherokee County, Alabama, to the Cherokee Law and Equity Court; and to abolish the County Court of Cherokee County, Alabama; and to give the said court juvenile jurisdiction", and amended by Act No. 493, Local Acts of Alabama 1945.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

Notice is hereby given that the following local legislation will be introduced at the 1957 regular session of the Legislature of Alabama, now convened.

A BILL TO BE ENTITLED AN ACT

To amend Section 5 of Act No. 163, Local Acts of Alabama 1943, entitled "An Act to establish a Law and Equity Court for Cherokee County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations, to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Juvenile Court of Cherokee County, Alabama, to the Cherokee Law and Equity Court; and to abolish the County Court of Cherokee County, Alabama; and to give the said court juvenile jurisdiction", and amended by Act No. 493, Local Acts of Alabama 1945.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 163, Local Acts of Alabama 1943, entitled "An Act to establish a Law and Equity Court for Cherokee County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations, to provide that said Court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said Court; to provide for the transfer of certain causes now or hereafter pending in the Circuit Court and the Juvenile Court and of Cherokee County, Alabama, to the Cherokee Law and Equity Court; and to abolish the County Court of Cherokee County, Alabama; and to give the said Court Juvenile Jurisdiction", and amended by Act No. 493, Local Acts of Alabama 1945, be and the same is hereby further amended to read as follows:

"Section 5. That the Judge of said Court shall receive a salary of Four Thousand Two Hundred Dollars (\$4200.00) per annum, payable in equal monthly installments out of the County Treasury at the end of each month, his signed receipt being required."

Section 2. This Act shall become effective at the beginning of the next term of office of said Judge of said Court as provided by law.

J. B. Burkhalter
Representative
Cherokee County, Alabama
15-4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Jack Livingston, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of legal notice, A Bill to Be Entitled An Act as published in said newspaper once a week for four consecutive weeks, beginning on the 12th day of June, 1957, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 11th day of July, 1957.

JACK LIVINGSTON,
Notary Public.

Also:

By Mr. Burkhalter:

H. 778. To repeal Act No. 584, Acts of Alabama 1951, approved August 30, 1951, entitled "An Act relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate."

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that the following legislation will be introduced at the 1957 Regular Session of the Legislature of Alabama, now convened.

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 584, Acts of Alabama 1951, approved August 30, 1951, entitled "An Act relating to Cherokee County: Providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate".

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 584, Acts of Alabama 1951, approved August 30, 1951, and entitled "An Act relating to Cherokee County; providing for the payment by the County of the compensation of the Chief Clerk in the Office of the Judge of Probate", be and the same is expressly repealed.

Section 2. This Act shall become effective on the first day of the month following its passage and approval by the Governor, or its otherwise becoming a law.

J. B. Burkhalter
Representative
Cherokee County, Alabama
15-4.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Jack Livingston, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of legal notice, A Bill to be Entitled an Act, as published in said newspaper once a week for four consecutive weeks, beginning on the 12th day of June, 1957; that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 11th day of July, 1957.

JACK LIVINGSTON,
Notary Public.

Also:

By Mr. Burkhalter:

H. 779. Amending Sections 1, 2 and 3 of Local Act No. 162, Local Acts of Alabama 1943, entitled "An Act to fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the County Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the county treasury on or before the fifth day of each month, and to provide for the payment of the salary of clerical assistance and other office expense by the treasury of the County", as amended by Act No. 121, Acts of Alabama, 1955.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that the following local legislation will be introduced at the 1957 Regular Session of the Legislature of Alabama, now convened.

A BILL
TO BE ENTITLED
AN ACT

Amending Sections 1, 2 and 3 of Local Act No. 162, Local Acts of Alabama 1943, entitled "An Act to fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the County Solicitor of Cherokee County, the Sheriff of Cherokee County; to pro-

vide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the county treasury on or before the fifth day of each month, and to provide for the payment of the salary of clerical assistance and other office expense by the treasury of the county", as amended by Act No. 121, Acts of Alabama, 1955.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Local Act 162, Local Acts of Alabama 1943, entitled an Act, "To fix the salary of the Judge of Probate of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Circuit Court of Cherokee County, the Register in Chancery of Cherokee County, the County Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers of Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary of clerical assistance and other office expense by the Treasury in the County", as amended by Act No. 121, Acts of Alabama 1955, be and the same is hereby further amended to read as follows:

"Section 1. That commencing at the beginning of their next term of office, the salary of the following named officers of Cherokee County, Alabama, shall be as follows: The salary of Judge of Probate shall be Five Thousand and Four Hundred Dollars (\$5400.00) per annum, net. The salary of the Tax Collector shall be Three Thousand Six Hundred Dollars (\$3600.00) per annum, net. The salary of the Tax Assessor shall be Three Thousand Six Hundred Dollars (\$3600.00) per annum, net, and the Tax Assessor and the Tax Collector shall not be required to make the rounds required to be made in Title 51, Section 38 of Code of Alabama of 1940. The salary of the Clerk of the Circuit Court shall be Three Thousand Dollars (\$3000.00) per annum, net. The salary of the Register in Chancery shall be One Thousand Eight Hundred Dollars (\$1800.00) per annum, net. The salary of the County Solicitor shall be Two Thousand Four Hundred Dollars (\$2400.00) per annum, net. The salary of the Sheriff shall be Four Thousand Two Hundred Dollars (\$4200.00) per annum, net. The said annual salary or compensation of each of said officers shall be paid out of the County Treasury of Cherokee County in equal monthly installments at the end of each month upon warrants drawn in the same manner as employees of Cherokee County are paid."

Section 2. That Section 2 of said Local Act No. 162, Local Acts of Alabama 1943, as amended by Act No. 121, Acts of Alabama 1955, be and the same is hereby further amended to read as follows:

"Section 2. That when this Act goes into effect each of said officers named in Section 1 of this Act shall continue to collect all legal charges, fees, costs, compensations and allowances heretofore or hereafter authorized to be collected by them or any one of them and shall pay same into the County Treasury on the first Monday of each month thereafter. The Board of Revenue or like governing body of Cherokee County is required, authorized and empowered to provide sufficient clerks, deputies and assistants to the said Judge of Probate, but the said Judge of Probate shall select the said clerks, deputies, and other assistants and shall fix their compensation, subject to the approval of the Board of

Revenue, but the combined salary or compensation of said clerks, deputies and assistants selected by him shall not exceed Seven Thousand Two Hundred Dollars (\$7200.00) per annum. The said Judge of Probate shall have the right to discharge the said clerks and deputies and assistants at will. The salary or compensation of said clerks, deputies and assistants shall be paid in equal monthly installments out of the general fund of Cherokee County upon separate warrants drawn in the same manner as other employees of Cherokee County are paid".

Section 3. That Section 3 of said Local Act No. 162, Local Acts of Alabama 1943, as amended by Act No. 121, Acts of Alabama 1955, be and the same is hereby further amended to read as follows:

"Section 3. The Board of Revenue or like governing body of Cherokee County shall provide each of said officers named in Section 1 of this Act with the necessary offices, books, stationery, office equipment, supplies, files, furniture, typewriters, adding machines, postage and other conveniences and equipment necessary for the proper and efficient conducting and handling of the affairs of said office.

The Board of Revenue of other like governing body shall provide additional clerical help as they deem necessary for the proper and efficient operation of the offices named in Section 1 of this Act, but the total compensation of all such clerks shall not exceed Three Thousand Six Hundred Dollars (\$3600.00) per annum. The Board of Revenue or other like governing body shall provide the sheriff with gasoline and motor oil and automobile expense for transportation, in the enforcement of the laws of the State and the proper and efficient conduct of his office, in a sum not to exceed One Hundred Fifty Dollars (\$150.00) per month, to be paid by properly receipted bills and vouchers presented for payment each month.

Section 4. That all laws or parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

Section 5. The provisions of this Act shall become effective upon its passage and approval by the Governor, or its otherwise becoming a law.

J. B. Burkhalter
Representative
Cherokee County, Alabama
16-4c.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, Jack Livingston, a Notary Public in and for said county in said state, personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the Town of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of legal notice as published in said newspaper once a week for four consecutive weeks beginning on the 19th day of June, 1957; that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said town and county, and that said newspaper has been entered as second class mail matter in the United States Post Office in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 11th day of July, 1957.

JACK LIVINGSTON,
Notary Public.

Also:

By Mr. Branyon:

H. 786. Relating to Fayette County; authorizing the court of county commissioners, board of revenue, or like governing body of said county to levy additional county privilege license and excise taxes, for general educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FAYETTE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Fayette County; authorizing the court of county commissioners, board of revenue, or like governing body of said county to levy additional county privilege license and excise taxes, for general educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Fayette County, may, when requested to do so by the county board of education by resolution duly adopted, order an election to determine whether or not special privilege license and excise taxes, in the amount hereinafter provided, shall be levied for general educational purposes within the county. The sheriff must give notice at least thirty days before any election to be held under this Act, by publication in some newspaper in the county, and by posting such notice at the courthouse door and at three other public places in the county, of the time of holding and the purpose of the election. The court of county commissioners, board of revenue, or like governing body of said county shall provide for the holding of the election on the date specified in the notice. If the question of levying the special taxes authorized herein fails to carry at such election, that fact shall not preclude the submission of the question to the voters at a subsequent election held at any time not less than two years from the date of the preceding election.

Section 2. The court of county commissioners, board of revenue, or like governing body of the county shall declare the result of the election,

and if a majority of the electors voting on the question have voted in favor of the special taxes, the court of county commissioners, board of revenue, or like governing body of the county may by resolution or ordinance levy, in addition to all other taxes of every kind now imposed by law, a county privilege or license tax against the person on account of business activities in an amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, and a county excise tax, as follows:

1) Upon every person, firm, or corporation engaged or continuing within the county in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, except bonds or other evidences of debt or stocks, an amount equal to one percent of the gross proceeds of the sales of the business.

2) Upon every person, firm, or corporation engaged or continuing within the county in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution or any athletic association thereof, or other association whether such institution or association be denominational or a state, county or city school or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or any place or places where an admission fee is charged (including public bathing places, public dance halls of every kind and description) conducted or carried on within the county, an amount equal to one percent of the gross receipts of any such business.

3) An excise tax on the storage, use, or other consumption in the county of tangible personal property purchased at retail, at the rate of one percent of the sales price of such property.

4) Upon every person, firm or corporation engaged or continuing within the county in the business of selling any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one percent of the gross proceeds of the sales of such automotive vehicle, truck trailer, and semi-trailer.

5) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling any used automotive vehicle or truck trailer or semi-trailer, where such vehicles are bought for purposes of resale, an amount equal to one-third of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer; provided, however, this subsection shall not apply to the sale of any used automotive vehicle or truck trailer or semi-trailer where it was acquired as a part of the consideration for the sale, trade, or exchange, in the county of any new or used motor vehicle, truck, trailer, or semi-trailer.

6) An excise tax on the storage, use, or other consumption in the county of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail on or after the date a tax is imposed under the authority of this Act for storage, use, or other consumption in the county at the rate of one-third of one percent of the sales price of such automotive vehicle, truck trailer, or semi-trailer.

The taxes authorized to be levied by this Act shall be subject to all definitions, exemptions, proceedings, rules, regulations, requirements, fines, penalties, punishments and deductions as are provided in Articles 10 and 11, Chapter 20, Title 51 of the Code of Alabama (1940), and amendments thereof, except where the same are inapplicable or where they are herein otherwise provided for.

Every person storing, using, or otherwise consuming in the county any tangible personal property purchased at retail shall be liable for the tax authorized to be imposed by paragraph 3 or 6 above, and the liability shall not be extinguished until the tax has been paid, provided that a receipt from a retailer maintaining a place of business in the county showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes herein authorized, when levied in accordance with the provisions of this Act, shall be collected by the Department of Revenue of the State of Alabama, at the same time and along with the collection by that department of taxes levied and collected for the State of Alabama under the provisions of Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, and all reports now required to be made to the Commissioner of Revenue shall, on request of the Department of Revenue, be available for inspection by the chairman of the court of county commissioners, board of revenue, or like governing body of the county, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, form and other information as may be necessary for the collection of the county taxes authorized to be levied by this Act, and shall have all the authority and duties in connection with such taxes as are now given by law to the Department of Revenue or the Commissioner of Revenue in connection with the collection of the State's sales and use taxes provided for by Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), as amended. It shall be the duty of the Commissioner of Revenue to pay into the State Treasury all taxes collected under this Act; and on or before the first day of the following month, the Commissioner shall certify to the Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of the county during the calendar month immediately preceding the making of such certificate. Whereupon, it shall be the duty of the comptroller to issue his warrants on the State Treasurer payable as follows, in a total amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of the county and paid into the State Treasury. The Comptroller shall pay the amount so certified by the Commissioner of Revenue as having been collected for the use of the county to the custodian of school funds of Fayette County, and said funds shall be used exclusively for general educational purposes within the county.

Section 4. The Department of Revenue shall charge the county for collecting the special taxes herein authorized a percentage of the taxes to be computed on the same basis as the total cost of collecting the state sales and use taxes bears to the total amount of state sales and use taxes collected for each fiscal year ending September 30. Such charge for collecting the special taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due the county for that month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and otherwise to enforce the provisions of this Act, including any litigation involving the Act; and the

Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the county.

Section 5. The taxes authorized herein, together with the interest and penalties which are authorized by this Act, shall be a lien upon the property of any person, firm, or corporation liable for taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or relating to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of taxes levied under the authority of this Act. The taxes authorized by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in any county to which this Act applies.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective on the first day after the date of its enactment.

(6-13-4tc).

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FAYETTE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Gearldean Howe, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Fayette County Times, a newspaper of general circulation published in Fayette County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1957.

CULLEN MORGAN.

Sworn to and subscribed before me this 5th day of July, 1957.

GEARLDEAN HOWE,
Notary Public.

Also:

By Messrs. Mathison and Solomon:

H. 787. To amend Section 7 of an act approved July 7, 1947, entitled "An Act To re-enact Act 123, approved June 12, 1935, entitled, 'An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act'" (Act No. 82, H. 340, Local Acts of 1947, p. 58).

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF HENRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To amend Section 7 of an act approved July 7, 1947, entitled "An Act To re-enact Act 123, approved June 12, 1935, entitled, 'An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act'" (Act No. 82, H. 340, Local Acts of 1947, p. 58).

Be It Enacted by the Legislature of Alabama:

That Section 7 of an act approved July 7, 1947, entitled "An Act To re-enact Act 123, approved June 12, 1935, entitled, 'An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act'" (Act No. 82, H. 340, Local Acts of 1947, p. 58) is hereby amended to read as follows:

"Section 7. The compensation of each commissioner shall be \$1,200 per annum, to be paid in equal monthly installments out of the general funds and Gasoline Fund of the County, on warrants drawn by the Probate Judge."

June 13-20-27 July 4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HENRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Abbeville Herald, a newspaper of general circulation published in Henry County, Alabama, and that the attached

notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1957.

J. EDWARD DODD.

Sworn to and subscribed before me July 8, 1957.

A. C. RICHARDS,
Notary Public.

Also:

By Messrs. Brown (Lee) and Ward:

H. 790. Relating to Lee County: To abolish the office of County Solicitor and Deputy Circuit Solicitor for such County, and to require the Circuit Solicitor of the Thirty-third Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the County Solicitor or Deputy Circuit Solicitor were formerly required by law to represent the State or the county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County: To abolish the office of County Solicitor and Deputy Circuit Solicitor for such County, and to require the Circuit Solicitor of the Thirty-third Judicial Circuit to represent the State of Alabama and Lee County in all proceedings in which the County Solicitor or Deputy Circuit Solicitor were formerly required by law to represent the State or the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of county solicitor of Lee County is hereby abolished, and the duties of such office are hereby imposed on the solicitor of the Thirty-third Judicial Circuit.

Section 2. The office of deputy circuit solicitor of Lee County is hereby abolished, and notwithstanding the provisions of Title 13, Section 256, Code of Alabama, 1940, the circuit solicitor of the Thirty-third Judicial Circuit, which includes Lee County, shall not appoint nor be authorized to appoint a deputy circuit solicitor for Lee County.

Section 3. In addition to all other duties required by law of the circuit solicitor of the Thirty-third Circuit, which includes Lee County, it shall be the duty of such solicitor to represent the State of Alabama and Lee County in all cases, actions and proceedings in which the State of Alabama and Lee County would have been represented by the county solicitor of Lee County had the office of county solicitor not been abolished.

Section 4. The provisions of this Act are severable. Should any section, paragraph or portion of this Act be declared unconstitutional, it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 5. Act No. 220, H. 679, approved July 12, 1949 (Acts of Alabama, 1949, page 312), and any and all other laws in conflict herewith are hereby repealed.

Section 6. This Act shall become operative on the date that Lee County becomes a separate judicial circuit pursuant to an act passed during this Regular Session of the Legislature of 1957. If Lee County does not so become a separate judicial circuit then this Act shall have no force or effect; provided further nothing herein shall be construed to prevent the present solicitor of Lee County from continuing to perform the duties of his office and to draw the compensation therefor during the term for which he was elected under Act No. 220, H. 679, approved July 12, 1949 (Acts of 1949, page 312).

Adv. 10-17-24-1

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice-President of the Opelika Daily News, a newspaper of general circulation published in Opelika, Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, June 17, June 24, and July 1, all in the year 1957.

W. C. WEAR, JR.

Sworn to and subscribed before me July 15, 1957.

CARRIE B. DARDEN,
Notary Public, Lee County, Ala.

Also:

By Mr. Dement:

H. 792. To require the county board of education of Limestone County to donate to the members of the community in which the school is located the buildings and sites associated with any school discontinued by such board, or to donate the building materials contained in any dismantled school building if the county board of education desires to retain possession of the site thereof; and to authorize the use of such buildings as community centers, or the use of such materials for the construction of community centers.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To require the county board of education of Limestone County to donate to the members of the community in which the school is located

the buildings and sites associated with any school discontinued by such board, or to donate the building materials contained in any dismantled school building if the county board of education desires to retain possession of the site thereof; and to authorize the use of such buildings as community centers, or the use of such materials for the construction of community centers.

Be It Enacted by the Legislature of Alabama:

Section 1. Whenever the county board of education of Limestone County discontinues any school within its jurisdiction all buildings, and the sites thereof, associated with the school being discontinued shall be donated by such board to the community in which such school is located, for use as a community center by the members of such community. **In the event that any school building is dismantled, and the county board of education of Limestone County desires to retain possession of the site on which such building was erected, such board shall donate to the members of the community in which such building was located all the building materials contained in such dismantled building, and the members of such community may move such materials to such other site as they may obtain, for the construction of a building to be used as a community center.**

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement
Representative
State Legislature

J9.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me July 11, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 793. To designate as "The Buck Island Bridge" the new bridge approved for construction in Limestone County at or near the site of the present bridge of the same name, and to require the governing body of Limestone County to place certain plaques or markers thereon.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To designate as "The Buck Island Bridge" the new bridge approved for construction in Limestone County at or near the site of the present bridge of the same name, and to require the governing body of Limestone County to place certain plaques or markers thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The new bridge approved for construction at or near the site of the present Buck Island Bridge in Limestone County is hereby designated and shall be known as "The Buck Island Bridge."

Section 2. Upon the completion of the bridge, the court of county commissioners, board of revenue or like governing body of Limestone County shall place an appropriate plaque or marker on each end of the bridge, which plaque or marker shall show the name of the bridge and the names of the present Governor of the State of Alabama, the present State Highway Director, the senator and representative now representing the county in the Legislature, the chairman and members of the county governing body, and the contractor by whom the bridge was constructed. The expense of obtaining such plaques or markers and placing them upon the bridge shall be paid out of the county treasury by the court of county commissioners, board of revenue or like governing body of Limestone County.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement
Rep. Limestone County
State Legislature

J9.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me July 11, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Dement:

H. 794. To authorize each member of the court of county commissioners, board of revenue or like governing body of Limestone County to construct, within the district which he represents on such county governing body, a shed for the storage of tools and other equipment belonging to the county, and a dwelling house in which he or some competent person designated by him shall reside in order to take care of the county property stored in such shed; and to authorize the expenditure of county funds for such purposes.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize each member of the court of county commissioners, board of revenue or like governing body of Limestone County to construct, within the district which he represents on such county governing body, a shed for the storage of tools and other equipment belonging to the county, and a dwelling house in which he or some competent person designated by him shall reside in order to take care of the county property stored in such shed; and to authorize the expenditure of county funds for such purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the court of county commissioners, board of revenue or like governing body of Limestone County, immediately upon his taking office, or as soon thereafter as practicable, shall construct or cause to be constructed in the center of the district which he represents on such county governing body, or as near to the center thereof as feasible, a permanent shed for the storage of tools and other equipment belonging to Limestone County; and each such member shall also construct a dwelling house, on the same site as that of the tool shed, in which he or some competent person designated by him shall reside in order to take care of the county property stored in such shed.

It is provided, however, that such sheds and dwellings shall not be constructed unless, in the discretion of such member of the county governing body, there is a necessity therefor. In the event that such buildings are deemed necessary, the costs of their construction shall be paid from the county treasury by the court of county commissioners, board of revenue or like governing body of Limestone County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement
Rep. Limestone County
State Legislature

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me July 11, 1957.

LOLA L. ORR,
Notary Public.

Also:

By Mr. Fite:

H. 796. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Boston in Marion County, Alabama, so as to include within the corporate limits of said municipality the unincorporated community of Brilliant, and change the name of the municipality to "Brilliant, Alabama."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MARION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Boston in Marion County, Alabama, so as to include within the corporate limits of said municipality the unincorporated community of Brilliant, and change the name of the municipality to "Brilliant, Alabama."

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the municipality of Boston in Marion County, Alabama, are hereby altered, rearranged, and extended so as to include within the corporate limits of said municipality the following described lands situated in Marion County, Alabama, to-wit: Begin at SE corner of Section 11, Township 12, Range 12, in Marion County, Alabama. Follow south line of Section 11, Township 12, Range 12 West to intersection of Brilliant Railroad spur track off Frisco Railroad; thence along said railroad's north right-of-way line to the intersection of west line of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 11, Township 12, Range 12; thence along said line north to NW corner of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 11, Township 12, Range 12; thence north along west line of SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 2, Township 12, Range 12 to NW corner of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 12, Range 12; thence

north along west line of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 12, Range 12 300 ft.; thence east paralleling north line of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 12, Range 12, to a point on east line of NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 2, Township 12, Range 12; thence south along said line to SE corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 2, Township 12, Range 12; thence east along line to NE corner of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 2, Township 12, Range 12; thence east along north line of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 1, Township 12, Range 12 to NE corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1, Township 12, Range 12; thence south along east line of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 1, Township 12, Range 12 to SE corner of SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 1, Township 12, Range 12; thence east along north Section line of Section 12, Township 12, Range 12 to NE corner of NW $\frac{1}{4}$ of Section 12, Township 12, Range 12; thence south along center line of Section 12, Township 12, Range 12 to SE corner of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 12, Township 12, Range 12; thence east along north line of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 12, Township 12, Range 12 to NE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 12, Range 12; thence south along east line of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 12, Range 12 to SE corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 12, Township 12, Range 12; thence south along east line of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 13, Township 12, Range 12 620 ft.; thence west paralleling north section line of Section 13, Township 12, Range 12 to west line of NW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section 13, Township 12, Range 12. Thence north along said line to NE corner of NW $\frac{1}{4}$ of Section 13, Township 12, Range 12; thence west along south line of Section 12, Township 12, Range 12 to SE corner of Section 11, Township 12, Range 12, the beginning point.

Section 2. It is the purpose of this Act to incorporate within the boundaries of and to annex to the municipality of Boston the unincorporated community of Brilliant, to include within the boundaries of the municipality the territory situated within the corporate limits of the municipality of Boston on the date of the passage of this Act and the additional territory described in this Act, and to change the name of the municipality from "Boston, Alabama" to "Brilliant, Alabama."

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t6-20.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1957.

ROBERT E. BONHAM.

Sworn to and subscribed before me July 15, 1957.

G. O. KARR,
Notary Public.

Also:

By Messrs. Killough and Taylor:

H. 739. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Also:

By Mr. Cox:

H. 797. Relating to Marshall County: To abolish the Board of Revenue and Control of Marshall County, created by Act No. 264, H. 756, approved August 23, 1955 (Acts of Alabama, 1955, p. 612), and to restore and establish a court of county commissioners of Marshall County in and re-establish a court of county commissioners of Marshall County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County: To abolish the Board of Revenue and Control of Marshall County, created by Act No. 264, H. 756, approved August 23, 1955 (Acts of Alabama, 1955, p. 612), and to restore and re-establish a court of county commissioners of Marshall County in lieu thereof; to provide for its organization, powers, jurisdiction, and duties; and to provide for the qualifications, manner of election, and compensation of its members.

Be It Enacted by the Legislature of Alabama:

Section 1. The Board of Revenue and Control of Marshall County, created by Act No. 264, H. 756, approved August 23, 1955 (Acts of Alabama, 1955, p. 612), is abolished, and in lieu thereof there is hereby restored and reestablished in Marshall County a court of record styled the court of county commissioners of Marshall County, which shall be composed of the judge of probate, as principal judge, and four commissioners who shall be elected as hereinafter provided.

Section 2. At the general election to be held in 1958, and every four years thereafter, one commissioner shall be elected by the qualified electors of each of the districts established by Section 3 of this Act. Each commissioner must be a resident and qualified elector of the district from which he is elected, and shall continue to reside therein during his continuance in office. Commissioners shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified. In the event of a vacancy on the court of county commissioners, the vacancy shall be filled by appointment by the Governor for the unexpired term. The present members of the Board of Revenue and Control shall serve as members of the court of county commissioners until their successors are elected and qualified as provided in this Act.

Section 3. For purposes of electing the county commissioners, as provided in Section 2 hereof, Marshall County is divided into the following districts: District No. 1 shall be composed of the territory included within the present boundaries of precincts 1, 12, 14, 15, 21, 25, 26, 27, and 29; District No. 2 shall be composed of the territory included within the present boundaries of precincts 7, 8, 9, 10, 11, 19, 23, and 30; District No. 3 shall be composed of the territory included within the present boundaries of precincts 2, 3, 4, 13, 16, 22, and 28; District No. 4 shall be composed of the territory included within the present boundaries of precincts 5, 6, 17, 18, 20, and 24.

Section 4. Regular terms of the court of county commissioners of Marshall County shall be held on the second and fourth Mondays in each month of each year.

Section 5. Except as otherwise provided herein, all general laws now in force in this State, in reference to the several courts of county commissioners, shall apply to the court of record created by this Act; the court of county commissioners of Marshall County shall have and exercise all the jurisdiction and powers which are, or hereafter may be, vested in courts of county commissioners by the general laws of this State; and the members of the court shall perform all the duties and services and exercise all the powers which are, or hereafter may be, provided by law for members of courts of county commissioners.

The court of county commissioners of Marshall County shall have and exercise only the powers and functions relative to the construction, maintenance, and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

(a) to levy road and bridge taxes and to appropriate money for the construction, maintenance, and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of this State;

(b) to borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining, and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

(c) to determine, subject to the approval of the State Highway Department, the location of new roads and bridges within the county which may be established as an addition to the presently existing county road system of Marshall County;

(d) to exercise, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring rights-of-way for the establishment and changing of county roads and bridges in the manner presently provided by law.

The court of county commissioners of Marshall County shall have no authority:

(a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance, or repair of county roads and bridges;

(b) to contract for or purchase any services, supplies, equipment, machinery, or materials used in the construction, maintenance, or repair of county roads and bridges;

(c) to pay or order payment to any person, firm, or corporation for services rendered or supplies, equipment, machinery or materials

provided in the construction, maintenance, or repair of county roads or bridges;

Section 6. Each member of the court of county commissioners of Marshall County shall receive a salary of one hundred dollars (\$100) per month, which salary shall be in lieu of all fees, per diem, expenses, or other compensation now allowed by law to county commissioners for services rendered in and about their duties as such commissioners. As compensation for the services required of him by this Act, the judge of probate shall be paid a salary of one hundred dollars (\$100) per month, which shall be his entire compensation for such services. The payment of all such salaries shall be made from monies of the county not otherwise pledged or appropriated by warrant drawn by the judge of probate on the first of each calendar month for the preceding month.

Section 7. All laws or parts of laws in conflict with this Act are hereby repealed; and Act No. 264, H. 756, approved August 23, 1955 (Acts of Alabama, 1955, p. 612), which created the Board of Revenue and Control of Marshall County, is expressly repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W4c-7-10.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Advertiser-Glean, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1957.

PORTER HARVEY.

Sworn to and subscribed before me July 10, 1957.

CHARLES R. SORTER,
Notary Public.

Also:

By Mr. Cox:

H. 798. Relating to the construction, maintenance and repair of the county roads and bridges of Marshall County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; and providing for the transfer by the county and its officials to the State Highway Department of all funds, including Marshall County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, and all supplies, equipment, machinery and materials used for the construction, maintenance and repair of county roads and bridges.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE
A BILL
TO BE ENTITLED
AN ACT

Relating to the construction, maintenance and repair of the county roads and bridges of Marshall County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county, and the officials thereof, of certain duties in regard thereto; and providing for the transfer by the county and its officials to the State Highway Department of all funds, including Marshall County's proportionate share of the state gasoline tax, state motor vehicle license tax allocated to the county, and all supplies, equipment, machinery and materials used for the construction, maintenance and repair of county roads and bridges.

Be It Enacted by the Legislature of Alabama:

Section 1. The State Highway Department shall, subject to the provisions and limitations contained in this Act, be responsible for the construction, maintenance and repair of the county roads and bridges in Marshall County.

Section 2. The court of county commissioners, board of revenue or like governing body of Marshall County shall have and exercise only the powers and functions relative to the construction, maintenance and repair of the county roads and bridges as are conferred upon it by this Act, as follows:

a) To levy road and bridge taxes and to appropriate money for the construction, maintenance and repair of county roads and bridges in the same manner and to the same extent as it may presently do so under the laws of the State;

b) To borrow money and issue bonds or other evidences of indebtedness, subject to the approval of the State Highway Department, for the purpose of constructing, maintaining and repairing county roads and bridges to the same extent as it may presently do so under the laws of the State;

c) To determine, subject to the approval of the State Highway Department, the location of new roads and bridges within the county which may be established as an addition to the presently existing county road system of Marshall County;

d) To exercise, subject to the approval of the State Highway Department, the right of eminent domain for the purpose of acquiring rights-of-way for the establishment and changing of county roads and bridges in the manner presently provided by law.

Section 3. The court of county commissioners, board of revenue or like governing body of Marshall County shall have no authority.

a) To employ or discharge or regulate or control in any manner personnel for the construction, maintenance or repair of county roads and bridges;

b) To contract for or purchase any services, supplies, equipment, machinery or materials used in the construction, maintenance or repair of county roads and bridges;

c) To pay or order payment to any person, firm or corporation for services rendered or supplies, equipment, machinery or materials provided in the construction, maintenance or repair of county roads or bridges.

Section 4. Upon the effective date of this Act, the court of county commissioners, board of revenue or like governing body of Marshall County and all officials of the county shall transfer and turn over to the State Highway Department all funds, supplies, equipment, machinery and materials held, owned, leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Marshall County shall pay over to the State Highway Department all funds collected or received as taxes, including the motor vehicle license tax allocated to the county, or otherwise by them from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained separately by the State Highway Department and shall be used by it solely for the purpose of construction, maintenance and repair of county roads and bridges in Marshall County subject to the provisions of this Act.

Section 5. All persons employed by Marshall County in the construction, maintenance and repair of county roads and bridges, who are in the service of the county on the effective date of this Act, shall continue to be employed by the State Highway Department in the county and be brought under and be covered by the State Merit System Law without examination at no less than their salary on that date, and they shall not be discharged nor their salary decreased or increased except in accordance with the regulations of the State Merit System Law. All other persons employed by the State Highway Department in connection with the administration of this Act shall be subject to the State Merit System Law.

Section 6. After the effective date of this Act, the State Highway Department shall pay all of the outstanding financial obligations of Marshall County which were incurred prior to the adoption of this Act, for the construction, maintenance or repair of county roads and bridges out of the funds to be paid over to the State Highway Department under the provisions of Section 4 of this Act. Nothing contained in this Act, however, shall be construed to relieve Marshall County of the liability for paying any of its financial obligations now existing or hereafter incurred under the provisions of Section 2 (b) hereof in the event the funds paid over to the State Highway Department are insufficient to do so or to require any of the financial obligations presently existing or hereafter incurred under the provisions of Section 2 (b) hereof to be paid from funds of the State Highway Department.

Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Marshall County from the funds paid over to it pursuant to Section 4 of this Act, and from funds which would otherwise accrue to Marshall County for road and bridge work from any source whatsoever. The State Highway Department shall retain, and the appropriate state official is authorized to pay over to it, any funds or amounts to which Marshall County shall be entitled from the proceeds of the state gasoline tax, the motor vehicle license tax allocated to the county, or any other state tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds

of any other tax to which Marshall County is entitled, received by the State Highway Department for road work in Marshall County shall be kept in the separate account referred to in Section 4 of this Act.

Section 8. Any contract for the construction, maintenance and repair of county roads and bridges entered into by Marshall County prior to the adoption of this Act, shall remain in full force and effect until the terms thereof have been complied with.

Section 9. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 10. The provisions of this Act are hereby declared to be severable, and should any Section or other portion thereof be declared unconstitutional or invalid, such adjudication shall not affect the portion, or portions, of the Act remaining.

Section 11. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

W4c-7-10.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Advertiser-Glean, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1957.

PORTER HARVEY.

Sworn to and subscribed before me July 10, 1957.

CHALES R. SORTER,
Notary Public.

Also:

By Messrs. Hall, Goodwyn, Dawkins and Nolen:

H. 822. To amend Act No. 416, H. 917, approved September 9, 1955 (Acts of Alabama, 1955, p. 960), entitled "An Act To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act."

Also:

By Messrs. McKay and Payne:

H. 828. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA
COUNTY OF TALLADEGA

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, Regular Session 1957, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The Southeast Quarter; the East Half of the Southwest Quarter; all in Section 17 of Township 21 South of Range 4 East; the North Half of the Northeast Quarter; the Northwest Quarter of the Southeast Quarter; the Northeast Quarter of the Southwest Quarter; the East Half of the Northwest Quarter; all in Section 20 of Township 21 South of Range 4 East; commence at the Northwest corner of the Southeast Quarter of the Southwest Quarter of Section 20 of Township 21 South of Range 4 East, and go South along the West boundary of said forty a distance of 277 feet to a point; thence go East a distance of 660 feet to a point; thence go North a distance of 277 feet to a point on the North boundary of said forty; thence go West a distance of 660 feet to said point of beginning; all of the same being in Talladega County, Alabama.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M30 4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLADEGA

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit in the issues hereof dated as follows: May 30, 1957, June 6, 1957, June 13, 1957, and June 20, 1957.

W. A. MOODY.

Subscribed and sworn to before me this 15th day of July, 1957.

EUGENE D. BUTLER,
Notary Public.

Also:

By Messrs. McKay and Payne:

H. 829. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, Regular Session 1957, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The Southwest Quarter; the West Half of the Southeast Quarter; the South Half of the Northwest Quarter; the Southwest Quarter of the Northeast Quarter; all in Section 15 of Township 21 South of Range 4 East; the East Half; the East Half of the Southwest Quarter; all in Section 21 of Township 21 South of Range 4 East; the Northwest Quarter of the Northwest Quarter of Section 22 of Township 21 South of Range 4 East; the Northeast Quarter; the North Half of the Southeast Quarter; the Northeast Quarter of the Southwest Quarter; the East Half of the Northwest Quarter; all in sec. 28 of Township 21 South of Range 4 East; all of the same being in Talladega County, Alabama.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

M30 4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit in the issues hereof dated as follows: May 30, 1957, June 6, 1957, June 13, 1957, and June 20, 1957.

W. A. MOODY.

Subscribed and sworn to before me this 15th day of July, 1957.

EUGENE D. BUTLER,
Notary Public.

Also:

By Messrs. McKay and Payne:

H. 830. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, Regular Session 1957, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Sylacauga, Talladega County, Alabama, be changed and extended to include the following territory:

The Northwest Quarter of the Southwest Quarter of Section 16, Township 21 South of Range 4 East; the Southeast Quarter of the Southwest Quarter; the West Half of the Southwest Quarter; all in Section 4 of Township 22 South of Range 4 East; the Southeast Quarter of Section 5 of Township 22 South of Range 4 East; the Northeast Quarter of Section 8 of Township 22 South of Range 4 East; the Northwest Quarter; the South Half of the Northeast Quarter; the Northwest Quarter of the Northeast Quarter; the North Half of the Southeast Quarter, the Southeast Quarter of the Southeast Quarter; all in Section 9 of Township 22 South of Range 4 East; the West Half of the Southwest Quarter of Section 10 of Township 22 South, Range 4 East; all of the same being in Talladega County, Alabama.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J6 4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit in the issues hereof dated as follows: June 6, 1957, June 13, 1957, June 20, 1957, and June 27, 1957.

W. A. MOODY.

Subscribed and sworn to before me this 15th day of July, 1957.

EUGENE D. BUTLER,
Notary Public.

Also:

By Messrs. McKay and Payne:

H. 831. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL

STATE OF ALABAMA COUNTY OF TALLADEGA

Notice is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, Regular Session 1957, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The East Half of the Northeast Quarter of Section 25, Township 21, South, Range 3 East; all the same being in Talladega County, Alabama.

Section 2. This act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

J20 4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Personally appeared before me, a Notary Public in and for said County W. A. Moody, who being duly sworn according to law, deposes and says that he is the Publisher of the Sylacauga Advance, a newspaper published in said County and that the publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper for four weeks consecutively, to-wit in the issues hereof dated as follows: June 20, 1957, June 28, 1957, July 4, 1957, and July 11, 1957.

W. A. MOODY.

Subscribed and sworn to before me this 15th day of July, 1957.

EUGENE D. BUTLER,
Notary Public.

Also:

By Messrs. Lackey, Vacca, Edwards (Jefferson), Nice, Perry, Kaul, Adams (Jefferson), and Oden:

H. 788. To fix the compensation of surgeons and physicians when duly summoned by the coroner in all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census; providing for the method of payment and designating the funds from which payment shall be made:

Also:

By Mr. Kendall:

H. 782. Relating to Conecuh County: To provide further for purging the registration lists of the names of those electors of Conecuh County who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by requiring the re-registration of electors of the county registered on or after January 1, 1903.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL
NOTICE

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County: To provide further for purging the registration lists of the names of those electors of Conecuh County who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by requiring the re-registration of electors of the county registered on or after January 1, 1903.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Conecuh County is hereby authorized, directed and required to conduct a re-registration of electors of the county registered on or after January 1, 1903, in the manner provided in this Act. Each registrar shall receive ten dollars (\$10.00) per day, to be paid by the county, and disbursed by the judge of probate, for each day's attendance upon the sessions of the board, not to exceed thirty days per annum in addition to the days on which such registrars are required by other laws to meet. If one or more of the members of the board shall refuse, neglect, or be unable to serve, or if a vacancy or vacancies occur in the membership of the board from any cause, the Governor, Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such board.

Section 2. Within one year after the date on which this Act becomes effective, the board of registrars of Conecuh County shall visit each precinct at least once, and oftener if necessary, to make a complete re-registration of all electors previously registered, and shall remain there at least one day from nine o'clock in the morning until four o'clock in the afternoon. Any registrar who uses his personal automobile in traveling in the performance of his duties hereunder shall be entitled to reimbursement for the expense thereof at the rate of eight cents per mile for each mile necessarily traveled. Every claim for such reimbursement shall be approved by the chairman of the board of registrars and verified by the claimant. The board shall give at least ten days' notice of the time when, and the place in the precinct where they will attend to register applicants, by advertisement in a newspaper published in the county. Upon failure to give such notice, or to attend any appointment made by them in any precinct, they shall, after like notice, fill new appointments. The board shall remain in session for such time as may

be necessary to complete such re-registration. No person shall be registered except at the county seat or in the precinct in which he resides. The registrars shall issue to each person registered a certificate of re-registration.

Section 3. The board of registrars shall have power to examine under oath or affirmation all applicants for re-registration, and to take testimony touching the qualifications of such applicants.

Section 4. The board of registrars shall meet on the first Monday in January after the expiration of one year from the date on which this Act becomes effective for the purpose of purging the registration lists. The names of all those persons on the registration lists who have died, become non-residents of the State, become insane, or who have been convicted of any offense mentioned in Section 182 of the Constitution, or otherwise disqualified as electors under the provisions of the Constitution, and any names of persons who have failed to be re-registered in accordance with this Act, shall be stricken from the registration lists.

Section 5. When the name of any elector is proposed to be stricken from the registration list in accordance with this Act, unless he is dead or is a non-resident of the State, notice shall be issued to him by the board of registrars, citing him to appear before the board on a day certain and show cause why his name should not be stricken from the list. Such notice may be served by the sheriff or be sent by United States mail to the elector's last known address. In addition to such notice, the board of registrars must give notice in some newspaper published in the county. On the date set in the notice, or at a later date to which the case may have been continued by the board, the board shall proceed to consider the case of each elector whose name it proposes to strike from the registration list and determine the same. Any person whose name is stricken from the list may appeal from the decision of the board, without giving security for costs, and a trial by jury may be had; and the board shall forthwith certify the proceedings to the circuit clerk, who shall docket the case in the circuit court.

Section 6. The board of registrars shall, on or before the first day of February after the expiration of one year from the date on which this Act becomes effective, or as soon thereafter as may be practicable, file in the office of the judge of probate of the county, a complete list, sworn to by them, of all persons registered in the county, showing the ages of such persons so registered, with the precincts or wards in which each of such persons resides set opposite the names of such persons, and shall also file a like list in the office of the Secretary of State.

Section 7. The judge of probate shall, on or before the first day of March after the expiration of one year from the date on which this Act becomes effective, or as soon thereafter as is practicable, cause to be made from such list, in duplicate, in the books, furnished by the Secretary of State, an alphabetical list by precincts of the persons shown by the list of the registrars to have been re-registered in the county, and shall file one of such alphabetical lists in the office of the Secretary of State. The judge of probate shall keep both the original list filed by the registrars and the alphabetical list made therefrom as public records in his office.

Section 8. The Secretary of State shall furnish to the board of registrars the necessary forms, stationery, and supplies for effectuating the purpose of this Act, and the expense incurred thereby shall be paid out of the county treasury. The county shall pay all other reasonable and necessary expenses incurred by the board in carrying out the provisions of this Act.

Section 9. Re-registration of electors may be made on any day the board is in session, except as otherwise provided herein, but registrars shall not be entitled to receive but one per diem allowance for one day's service.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. The provisions of this Act shall become operative only if approved by a majority of the electors of Conecuh County, voting in a referendum to be held on the same date on which the first election for the submission of amendments to the Constitution is held after the passage of this Act. The county governing body of Conecuh County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the questions shall be stated substantially as follows: "Shall the provisions of Act No. _____, of the 1957 Regular Session of the Legislature, approved the _____ day of _____, 19_____, which provides for the re-registration of all voters in Conecuh County, be adopted? Yes (☐); No (☐)." If a majority of the votes cast in the election are "yes," the provisions of this Act shall become operative immediately. If the majority are "no," this Act shall have no effect.

(June 6-13-20-27-c).

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1957.

R. G. BOZEMAN.

Sworn to and subscribed before me July 15, 1957.

MABEL AMOS,
Notary Public.

Also:

By Mr. Dement:

H. 791. To authorize and require the governing body of Limestone County to place certain plaques or markers on the Vaughn-Easter Ferry Bridge, which is located within that county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and require the governing body of Limestone County to place certain plaques or markers on the Easter Ferry Bridge, which is located within that county.

Be It Enacted by the Legislature of Alabama:

Section 1. Upon the completion of the Easter Ferry Bridge, which is located in Limestone County, the court of county commissioners, board of revenue or like governing body of Limestone County shall place an appropriate plaque or marker on each end of the bridge, which plaque or marker shall show the name of the bridge, the year of its construction, the names of the senator and representative representing the county in the Legislature at the time of its completion, the names of the chairman and members of the county governing body, and the name of the contractor by whom the bridge was constructed. The expense of obtaining such plaques or markers and placing them upon the bridge shall be paid out of the county treasury by the court of county commissioners, board of revenue or like governing body of Limestone County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

James M. Dement
Rep. Limestone County
State Legislature

J9.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Limestone Democrat, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2, and July 9, all in the year 1957.

STEELE MCGREW.

Sworn to and subscribed before me July 11, 1957.

LOLA L. ORR,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 777, 778, 779, 786, 787, 792, 793, 794, 796, 739, 797, 798, 822, 828, 829, 830, 831, 788, 782, and 791—to the Committee on Local Legislation

(The above numbered bill, H. B. 739 was read at length as required by the Constitution.)

H. B. 790—to the Committee on Finance and Taxation

MOTION TO ADJOURN TO TIME CERTAIN

Mr. Robison moved that when the Senate adjourns today, it adjourn to meet again at 12:01 A. M., Wednesday, July 31, 1957, which was adopted.

Yeas 29; Nays 4.

Yeas:

Messrs.:	Dyar	Lamberth	Roberts
Allen	Eddins	Leonard	Robison
Boutwell	Engelhardt	Little	Shelton
Bradford	Flowers	Metcalf	Skidmore
Calvin	Givhan	Moses	Tate
Cantrell	Goodwin	Newton	Van Antwerp
Cooper	Grisham	Reeves	Vann
Davis (Pickens)	Hall		

—29

Nays:

Messrs.:	Jones	Yarbrough (Autauga)	Yarbrough (Randolph)
James			

—4

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Oden:

H. 71. To provide further the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 71—to the Committee on Finance and Taxation

MOTION TO RECESS LOST

At 3:55 P. M., Mr. Davis (Pickens) moved that the Senate take a recess until 11:59 P. M. tonight, which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Davis (<i>Pickens</i>)	Hall	Newton
Bradford	Eddins	James	Shelton
Cantrell	Engelhardt	Jones	Tate
Cooper	Givhan	Little	Yarbrough (<i>Autauga</i>)

—15

Nays:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Van Antwerp
Boutwell	Grisham	Reeves	Vann
Calvin	Lamberth	Roberts	Yarbrough (<i>Randolph</i>)
Dyar	Leonard	Robison	

—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Goodwyn:

H. 484. To amend Section 20 of Title 34 of the Code of Alabama of 1940, as last amended, and to provide for a divorce in instances where there has been a divorce from bed and board or a decree of separate maintenance, for more than seven years.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 484—to the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Adams (Jefferson), Vacca, Nice, Edwards (Jefferson), and Lackey:

H. 264. To amend further Act No. 288, S. 161, approved July 7, 1945 (General Acts of 1945, P. 478), which provides for the commissioning of supernumerary circuit judges.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 264—to the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 64. Extending congratulations to Dick Callahan.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolutions your signature thereto is requested.

H. J. R. 8. Relative to the payment to each state of one per cent of the federal income tax payments collected by the district director of internal revenue from each such state.

Also:

H. J. R. 62. Relative to naming the bridge which crosses the Pea River in Coffee County "The Joshua Marion Folsom Memorial Bridge."

Also:

H. J. R. 63. Relative to commending Lieutenant General Thomas W. Herren for the outstanding service which he rendered our Nation and State during his exemplary Army career.

Also:

H. J. R. 69. Relative to memorializing the Commissioner of Agriculture of the State of Alabama to hang a portrait of the late W. W. Garrett in the Alabama State Coliseum in Montgomery, Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolutions; the titles of which are set out in the foregoing message from the House.

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday, the first of which was the resolution:

S. R. 61. Requesting Supreme Court opinion relative to S. B. 360.

The question was on the motion of Mr. Lamberth to suspend the Rules and adopt the resolution.

MOTION TO RECESS LOST

At 4:30 P. M., Mr. Eddins moved that the Senate take a recess until 8 o'clock tonight, which motion was lost.

Yeas 10; Nays 21.

Yeas:

Messrs.:	Eddins	Little	Tate
Cooper	Hall	Newton	Yarbrough (Autauga)
Davis (Pickens)	Jones	Shelton	—10

Nays:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Smith
Boutwell	Grisham	Reeves	Van Antwerp
Bradford	James	Roberts	Vann
Calvin	Lamberth	Robison	Yarbrough (Randolph)
Cantrell	Leonard		—21

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the resolution, S. R. 61.

MOTION TO RECESS LOST

At 5:00 P. M., Mr. Cooper moved that the Senate take a recess until 9 o'clock tonight, which motion was lost.

Yeas 9; Nays 20.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Shelton
Cooper	Eddins	Little	Tate
Davis (Lowndes)	Hall		—9

Nays:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Smith
Boutwell	Grisham	Reeves	Van Antwerp
Bradford	Lamberth	Roberts	Vann
Calvin	Leonard	Robison	Yarbrough (Randolph)
Cantrell			—20

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the resolution, S. R. 61.

MOTION TO RECESS LOST

At 9:20 P. M., Mr. Hall moved that the Senate take a recess until 11:59 P. M., tonight, which motion was lost.

Yeas 6; Nays 19.

Yeas:

Messrs.:	Eddins	James	Yarbrough (Autauga)
Cooper	Hall	Shelton	—6

Nays:

Messrs.:	Cantrell	Metcalf	Skidmore
Allen	Flowers	Moses	Smith
Boutwell	Grisham	Reeves	Van Antwerp
Bradford	Lamberth	Roberts	Vann
Calvin	Leonard	Robison	Yarbrough (Randolph)
			—19

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the resolution, S. R. 61.

MOTION TO RECESS LOST

At 11:15 P. M., Mr. Davis (Pickens) moved that the Senate take a recess until 11:59 P. M., which motion was lost.

Yeas 10; Nays 18.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Shelton
Cooper	Eddins	James	Yarbrough (Autauga)
Davis (Lowndes)	Givhan	Newton	—10

Nays:

Messrs.:	Flowers	Moses	Smith
Allen	Grisham	Reeves	Van Antwerp
Boutwell	Lamberth	Roberts	Vann
Calvin	Leonard	Robison	Yarbrough (Randolph)
Cantrell	Metcalf	Skidmore	—18

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-third Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-third Legislative Day was approved by the Senate.

ADJOURNMENT

The hour of 12 o'clock midnight having arrived, the President and Presiding Officer of the Senate declared the Senate adjourned until 12:01 A. M., Wednesday, July 31, 1957, pending further consideration of S. R. 61, S. R. 54 and S. B. 119.

 TWENTY-FOURTH LEGISLATIVE DAY

WEDNESDAY, JULY 31, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by Honorable George W. Yarbrough, Senator, from the Ninth District.

ROLL CALL

Present:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Cooper	Hall	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Lamberth	Robison	—30

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

Yeas 18; Nays 10.

Yeas:

Messrs.:	Flowers	Moses	Smith
Allen	Givhan	Reeves	Van Antwerp
Boutwell	Lamberth	Roberts	Vann
Calvin	Leonard	Robison	Yarbrough (Randolph)
Engelhardt	Metcalf	Skidmore	—18

Nays:

Messrs.:	Davis (Pickens)	James	Shelton
Cantrell	Eddins	Little	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Newton	—10

UNFINISHED BUSINESS

The Senate proceeded to consideration of the unfinished business of yesterday, the first of which was the Resolution:

S. R. 61. Requesting Supreme Court Opinion relative to S. 360.

The question was on the motion of Mr. Lamberth to suspend the Rules and that the Senate adopt the resolution.

MOTION TO RECESS LOST

At 1:50 A. M., Mr. Davis (Pickens) moved that the Senate take a recess until ten o'clock this morning, which motion was lost.

Yeas 4; Nays 17.

Yeas: Messrs. Davis (Pickens), Hall, Little, and Newton. —4

Nays:

Messrs.:	Grisham	Reeves	Smith
Allen	Lamberth	Roberts	Van Antwerp
Boutwell	Leonard	Robison	Vann
Calvin	Metcalf	Skidmore	Yarbrough (Randolph)
Cantrell	Moses		—17

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the Resolution, S. R. 61.

MOTION TO RECESS LOST

At 1:50 A. M., Mr. Davis (Pickens) moved that the Senate take a recess until ten o'clock this morning, which motion was lost.

Yeas 4; Nays 19.

Yeas: Messrs. Cooper, Davis (Pickens), Engelhardt, and Hall. —4

Nays:

Messrs.:	Flowers	Moses	Skidmore
Allen	Grisham	Newton	Smith
Boutwell	Lamberth	Reeves	Van Antwerp
Calvin	Leonard	Roberts	Vann
Cantrell	Metcalf	Robison	Yarbrough (Randolph)

—19

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the Resolution, S. R. 61.

MOTION TO RECESS LOST

At 2:45 A. M., Mr. Little moved that the Senate take a recess until ten o'clock this morning, which motion was lost.

Yeas 4; Nays 18.

Yeas: Messrs. Cooper, Davis (Pickens), Engelhardt, and Little. —4

Nays:

Messrs.:	Flowers	Moses	Smith
Allen	Grisham	Reeves	Van Antwerp
Boutwell	Lamberth	Roberts	Vann
Calvin	Leonard	Robison	Yarbrough (Randolph)
Cantrell	Metcalf	Skidmore	

—18

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the Resolution, S. R. 61.

MOTION TO RECESS LOST

At 3:20 A. M., Mr. Davis (Pickens) moved that the Senate take a recess until 12 o'clock Noon today, which motion was lost.

Yeas 4; Nays 19.

Yeas: Messrs. Cooper, Davis (Pickens), Hall, and Little. —4

Nays:

Messrs.:	Engelhardt	Metcalf	Skidmore
Allen	Flowers	Moses	Smith
Boutwell	Grisham	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Vann
Cantrell	Leonard	Robison	Yarbrough (Randolph)

—19

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the resolution, S. R. 61.

RECESS

At 4:18 A. M., on motion of Mr. Skidmore, pending further consideration of S. R. 61, the Senate took a recess until 11 o'clock this morning.

Yeas 15; Nays 7.

Yeas:

Messrs.:	Flowers	Reeves	Smith
Allen	Grisham	Roberts	Van Antwerp
Boutwell	Lamberth	Robison	Vann
Calvin	Moses	Skidmore	Yarbrough (Randolph)
			—15

Nays:

Messrs.:	Cooper	Leonard	Metcalf
Cantrell	Hall	Little	Newton
			—7

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Flowers	Leonard	Skidmore
Allen	Givhan	Little	Smith
Boutwell	Goodwin	Metcalf	Tate
Bradford	Grisham	Reeves	Van Antwerp
Calvin	Hall	Roberts	Vann
Cooper	James	Robison	Yarbrough (Autauga)
Davis (Pickens)	Jones	Shelton	Yarbrough (Randolph)
Eddins	Lamberth		—29

MOTION TO ADJOURN TO TIME CERTAIN

Mr. Cooper moved that when the Senate adjourns today, it adjourn to meet again at 12:01 A. M., Thursday, August 1, 1957, which was adopted.

Yeas 25; Nay 1.

Yeas:

Messrs.:	Eddins	Lamberth	Skidmore
Allen	Flowers	Metcalf	Smith
Boutwell	Givhan	Reeves	Tate
Bradford	Goodwin	Roberts	Van Antwerp
Calvin	Grisham	Robison	Vann
Cooper	Hall	Shelton	Yarbrough (Autauga)
Davis (Pickens)	Jones		—25

Nay: Mr. Yarbrough (Randolph). —1

FURTHER CONSIDERATION OF S. R. 61

The Senate proceeded to further consideration of the resolution:

S. R. 61. Requesting Supreme Court opinion relative to S. 360.

The question was on the motion of Mr. Lamberth to suspend the Rules and that the Senate adopt the resolution.

RECESS

At 11:58 A. M., on motion of Mr. Boutwell, pending further consideration of S. R. 61, the Senate took a recess until 12:30 o'clock this afternoon.

AFTERNOON SESSION

TWENTY-FOURTH LEGISLATIVE DAY

WEDNESDAY, JULY 31, 1957

The Senate reassembled at 12:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Metcalf	Smith
Allen	Engelhardt	Moses	Tate
Boutwell	Flowers	Reeves	Van Antwerp
Bradford	Goodwin	Roberts	Vann
Calvin	Grisham	Robison	Yarbrough (Autauga)
Cantrell	Lamberth	Shelton	Yarbrough (Randolph)
Davis (Pickens)	Leonard	Skidmore	—26

UNFINISHED BUSINESS

The Senate proceeded to further consideration of the unfinished business of the morning session, which was the resolution:

S. R. 61. Requesting Supreme Court opinion relative to Senate Bill 360.

Mr. Davis (Pickens) offered the following amendment to the resolution, to-wit:

Amend the resolution, Senate Resolution 61, as follows: Insert the phrase, "as provided by Section 34 of the Title 13, Code of Alabama 1940," between the words "opinions on" which appear in the first sentence of the resolution.

On motion of Mr. Robison, the resolution, S. R. 61, and pending amendment were laid on the table.

Yeas 20; Nays 6.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Allen	Goodwin	Moses	Smith
Boutwell	Grisham	Reeves	Van Antwerp
Bradford	Lamberth	Roberts	Vann
Calvin	Leonard	Robison	Yarbrough (Randolph)
Cantrell			—20

Nays:

Messrs.:	Eddins	Shelton	Yarbrough (Autauga)
Davis (Pickens)	Engelhardt	Tate	—6

CONSIDERATION OF S. R. 54

The Senate then proceeded to consideration of the next order of unfinished business which was the resolution:

S. R. 54. Setting special orders.

The question was on the amendment offered by Mr. Boutwell to the resolution, which said amendment is set out at length in the Journal of the Senate for the Nineteenth Legislative Day.

RECESS

At 1:50 P. M., on motion of Mr. Davis (Pickens) and pending further consideration of S. R. 54, the Senate took a recess until 2 o'clock this afternoon.

The recess period having expired, the Senate was called to order by Lieutenant Governor Hardwick.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	Yarbrough (Randolph)
Davis (Pickens)	James		—33

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the resolution, S. R. 54 and pending amendment.

MOTION TO RESOLVE INTO COMMITTEE OF WHOLE

Mr. Skidmore moved that the Senate resolve itself into a Committee of the Whole Senate until three o'clock this afternoon, and further moved that the President Pro Tem be elected chairman of the Committee of the Whole, which motion was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Roberts
Allen	Engelhardt	Lamberth	Robison
Boutwell	Flowers	Leonard	Skidmore
Bradford	Givhan	Little	Tate
Calvin	Goodwin	Metcalf	Van Antwerp
Cantrell	Grisham	Moses	Yarbrough (Autauga)
Cooper	Hall	Reeves	Yarbrough (Randolph)
Davis (Pickens)	James		—29

Nays:

—0

At 2:30 P. M., the President and Presiding Officer of the Senate declared the Senate resolved into a Committee of the Whole Senate.

COMMITTEE OF THE WHOLE SENATE DISSOLVED

At 3 o'clock P. M., the chairman of the Committee of the Whole Senate arose and declared the Committee of the Whole had completed its business and requested that the Committee of the Whole be dissolved.

Thereupon the President and Presiding Officer of the Senate declared the Committee of the Whole Senate dissolved and called the Senate of Alabama to order.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	Yarbrough (Randolph)
Davis (Pickens)	James		—33

FURTHER CONSIDERATION OF S. R. 54

The Senate proceeded to further consideration of the resolution:

S. R. 54. Setting special orders.

The question was on the amendment, offered by Mr. Boutwell on the Nineteenth Legislative Day, to the resolution, S. R. 54, which said amendment is as follows:

Amend Rules Committee Report (S. R. 54) by adding at the end thereof the following:

S. 9, Page 4

S. 214, Page 25

On motion of Mr. Boutwell, said amendment was laid on the table.

Mr. Lamberth then offered the following amendment to the resolution, to-wit:

Amendment to S. R. 54

Amend S. R. 54 by striking Item 1 from said resolution.

Which was adopted.

And said resolution, S. R. 54, as thus amended, was then adopted by the Senate.

CALENDAR BILLS POSTPONED TO DAY CERTAIN

On motion of Mr. Roberts, further consideration of the bill, S. 173, was postponed until the next Legislative Day.

On motion of Mr. Calvin, further consideration of the bill, S. 5, was postponed until the next Legislative Day.

On motion of Mr. Davis (Pickens), further consideration of the bills, S. 102 and S. 11, was postponed until the 30th Legislative Day.

MOTION TO RECONSIDER

Mr. Skidmore moved that the Senate reconsider the vote by which it adopted the motion of Mr. Cooper that when the Senate adjourns today, it adjourn to meet again on Thursday, August 1, 1957, at 12:01 A. M., which was adopted and the Senate did reconsider said vote.

MOTION TO ADJOURN TO TIME CERTAIN

Mr. Lamberth moved that when the Senate adjourns today, it adjourn to meet again Friday, August 2, 1957 at 10 o'clock A. M., which was adopted.

BILLS ON THIRD READING

The Bill:

H. 143. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Was taken up by unanimous consent.

Mr. Davis (Pickens) offered the following amendment to the bill, to-wit:

Amend the bill, H. B. 143, by striking out the words and figures "Fifteen thousand dollars (\$15,000)" and inserting in lieu thereof "fourteen thousand dollars (\$14,000)"

Mr. Smith moved that said amendment be laid on the table, which motion was lost.

Yeas 15; Nays 18.

Yeas:

Messrs.:	Davis (Lowndes)	Lamberth	Robison
Boutwell	Flowers	Metcalf	Skidmore
Bradford	Givhan	Reeves	Smith
Calvin	Jones	Roberts	Van Antwerp
			—15

Nays:

Messrs.:	Dyar	Hall	Tate
Allen	Eddins	James	Vann
Cantrell	Engelhardt	Little	Yarbrough (Autauga)
Cooper	Goodwin	Moses	Yarbrough (Randolph)
Davis (Pickens)	Grisham	Shelton	—18

Mr. Smith then offered the following amendment for the amendment offered by Mr. Davis (Pickens) to the bill, H. B. 143, to-wit:

Substitute for Davis (Pickens) Amendment to H. B. 143

Amend the bill, H. B. 143, by striking out the words and figures "fifteen thousand dollars (\$15,000)" and inserting in lieu thereof "fourteen thousand five hundred dollars (\$14,500)"

On motion of Mr. Cooper, said amendment was laid on the table.

Yeas 18; Nays 15.

Yeas:

Messrs.:	Dyar	Hall	Tate
Allen	Eddins	James	Vann
Cantrell	Engelhardt	Little	Yarbrough (Autauga)
Cooper	Goodwin	Moses	Yarbrough (Randolph)
Davis (Pickens)	Grisham	Shelton	—18

Nays:

Messrs.:	Davis (Lowndes)	Lamberth	Robison
Boutwell	Flowers	Metcalf	Skidmore
Bradford	Givhan	Reeves	Smith
Calvin	Jones	Roberts	Van Antwerp
			—15

The question recurred on the amendment offered by Mr. Davis (Pickens) to the bill, H. B. 143 and said amendment was then adopted.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Eddins	James	Shelton
Allen	Engelhardt	Jones	Smith
Boutwell	Flowers	Lamberth	Tate
Calvin	Givhan	Little	Vann
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Davis (Pickens)	Grisham	Roberts	Yarbrough (Randolph)
Dyar	Hall		—25

Nays:

Messrs.:	Davis (Lowndes)	Reeves	Skidmore
Bradford	Metcalf	Robison	Van Antwerp
			—7

And said bill, H. B. 143, as thus amended, was then read a third time at length and passed.

Yeas 29; Nays 4.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Hall		—29

Nays:

Messrs.:	James	Shelton	Yarbrough (Autauga)
Davis (Lowndes)			—4

Mr. Cooper moved that the Senate reconsider the vote by which it passed the bill, H. B. 143, as amended, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 26; Nays 7.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Skidmore
Allen	Dyar	Jones	Smith
Boutwell	Eddins	Little	Tate
Bradford	Engelhardt	Moses	Vann
Calvin	Givhan	Roberts	Yarbrough (Autauga)
Cantrell	Goodwin	Robison	Yarbrough (Randolph)
Cooper	Grisham	Shelton	—26

Nays:

Messrs.:	Flowers	Lamberth	Reeves
Davis (Lowndes)	James	Metcalf	Van Antwerp
			—7

The Bill:

H. 144. To amend Section 103 of Title 13 of the Code of 1940 as amended

Was taken up by unanimous consent.

Mr. Davis (Pickens) offered the following amendment to the bill, to-wit:

Amend the bill, H. B. 144, by striking out the words and figures "Fourteen thousand five hundred dollars (\$14,500)" and inserting in lieu thereof "thirteen thousand five hundred dollars (\$13,500)"

Mr. Robison moved that said amendment be laid on the table, which motion was lost.

Yeas 16; Nays 17.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Boutwell	Givhan	Reeves	Smith
Bradford	Jones	Roberts	Van Antwerp
Calvin	Lamberth	Robison	Yarbrough (Randolph)
Davis (Lowndes)			—16

Nays:

Messrs.:	Dyar	Hall	Shelton
Allen	Eddins	James	Tate
Cantrell	Engelhardt	Little	Vann
Cooper	Goodwin	Moses	Yarbrough (Autauga)
Davis (Pickens)	Grisham		—17

The question recurred on the amendment offered by Mr. Davis (Pickens) to the bill, H. B. 144, and said amendment was then adopted.

Yeas 24; Nays 9.

Yeas:

Messrs.:	Davis (Pickens)	Grisham	Shelton
Allen	Dyar	Hall	Smith
Boutwell	Eddins	Jones	Tate
Bradford	Engelhardt	Lamberth	Vann
Calvin	Givhan	Little	Yarbrough (Autauga)
Cantrell	Goodwin	Moses	Yarbrough (Randolph)
Cooper			—24

Nays:

Messrs.:	James	Roberts	Skidmore
Davis (Lowndes)	Metcalf	Robison	Van Antwerp
Flowers	Reeves		—9

And said bill, H. B. 144, as thus amended was then read a third time at length and passed.

Yeas 29; Nays 3.

Yeas:

Messrs.:	Dyar	Jones	Skidmore
Allen	Eddins	Lamberth	Smith
Boutwell	Engelhardt	Metcalf	Tate
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Reeves	Vann
Cantrell	Goodwin	Roberts	Yarbrough (Autauga)
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	Hall		—29

Nays: Davis (Lowndes), James, and Shelton. —3

Mr. Cooper moved that the Senate reconsider the vote by which the Senate passed the bill, H. B. 144 as amended and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Robison	Yarbrough (Randolph)
Davis (Pickens)	Hall		—25

Nays:

Messrs.:	Flowers	Reeves	Van Antwerp
Davis (Lowndes)	James	Roberts	Yarbrough (Autauga)
			—7

The Bill:

H. 145. Relating to the compensation of circuit judges in Alabama

Was taken up by unanimous consent.

Mr. Davis (Pickens) offered the following amendment to the bill, to-wit:

Amend the bill, H. B. 145, by striking out the words and figures "eleven thousand five hundred dollars (\$11,500)" and inserting in lieu thereof "ten thousand dollars (\$10,000)"

Mr. Smith moved that said amendment be laid on the table, which motion was lost.

Yeas 14; Nays 19.

Yeas:

Messrs.:	Flowers	Metcalf	Skidmore
Boutwell	Givhan	Reeves	Smith
Bradford	Jones	Roberts	Van Antwerp
Calvin	Lamberth	Robison	—14

Nays:

Messrs.:	Davis (Pickens)	Grisham	Shelton
Allen	Dyar	Hall	Tate
Cantrell	Eddins	James	Vann
Cooper	Engelhardt	Little	Yarbrough (Autauga)
Davis (Lowndes)	Goodwin	Moses	Yarbrough (Randolph)
			—19

The question then recurred on the amendment offered by Mr. Davis (Pickens) to the bill, H. B. 145, and said amendment was then adopted.

Yeas 27; Nays 6.

Yeas:

Messrs.:	Calvin	Dyar	Givhan
Allen	Cantrell	Eddins	Goodwin
Boutwell	Cooper	Engelhardt	Grisham
Bradford	Davis (Pickens)	Flowers	Hall

Jones	Moses	Shelton	Tate
Lamberth	Roberts	Skidmore	Vann
Little	Robison	Smith	Yarbrough (Randolph)
			—27

Nays:

Messrs.:	James	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Metcalf	Van Antwerp	—6

And said bill, H. B. 145, as thus amended, was read a third time at length and passed.

Yeas 30; Nays 3.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Tate
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Moses	Vann
Cantrell	Goodwin	Reeves	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Hall	Robison	—30

Nays: Messrs. Davis (Lowndes), James and Smith. —3

Mr. Cooper moved that the Senate reconsider the vote by which it passed the bill, H. B. 145, as amended, and then moved that the motion to reconsider be laid on the table. The motion to table prevailed.

Yeas 25; Nays 7.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Skidmore
Allen	Eddins	Lamberth	Smith
Boutwell	Engelhardt	Little	Tate
Bradford	Givhan	Moses	Vann
Calvin	Goodwin	Robison	Yarbrough (Autauga)
Cantrell	Grisham	Shelton	Yarbrough (Randolph)
Cooper	Hall		—25

Nays:

Messrs.:	Flowers	Metcalf	Roberts
Davis (Lowndes)	James	Reeves	Van Antwerp
			—7

CALENDAR BILL POSTPONED TO DAY CERTAIN

On motion of Mr. Davis (Pickens), further consideration of the bill, H. B. 14, was postponed to the 30th Legislative Day.

Yeas 23; Nays 9.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Shelton
Allen	Davis (Pickens)	Hall	Skidmore
Boutwell	Eddins	James	Tate
Bradford	Engelhardt	Jones	Vann
Cantrell	Givhan	Little	Yarbrough (Autauga)
Cooper	Goodwin	Reeves	Yarbrough (Randolph)
			—23

Nays:

Messrs.:	Flowers	Moses	Robison	
Calvin	Lamberth	Roberts	Van Antwerp	—9
Dyar	Metcalf			

BILLS ON THIRD READING RESUMED

The Bill:

S. 395. To amend Act No. 201, Regular Session 1955, with respect to the assignment and placement of pupils in the public schools; to establish and regulate the procedure for hearings by boards of education with respect to the operation of public schools; to authorize the Attorney General to render advice and assistance to local boards of education; to provide that boards of education shall exercise judicial functions with respect to hearings upon the assignment of pupils; to limit the liability of school boards, officials and employees in the exercise of their official responsibilities; to reenact Act No. 201, Regular Session 1955, in all respects except as amended hereby.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Little	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Moses	Van Antwerp
Cantrell	Goodwin	Reeves	Vann
Cooper	Grisham	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Robison	Yarbrough (Randolph)
Davis (Pickens)	James		—33

Nays: —0

The Bill:

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the town of Flomaton, in Escambia County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Reeves
Allen	Givhan	Lamberth	Roberts
Boutwell	Goodwin	Little	Robison
Bradford	Grisham	Metcalf	Tate
Calvin	Hall	Moses	Van Antwerp
Cantrell	James		—21

Nays: —0

CALENDAR BILL POSTPONED UNTIL NEXT DAY AS UNFINISHED BUSINESS

Mr. Lamberth moved that Senate Bill 119 be carried over until the next Legislative Day as unfinished business, which motion was adopted.

CALENDAR BILL POSTPONED UNTIL NEXT DAY

On motion of Mr. Davis (Lowndes), further consideration of the bill, S. 396 was postponed until the next Legislative Day.

MOTION TO RECONSIDER

On motion of Mr. Flowers, the Senate reconsidered the vote by which it tabled the resolution:

S. R. 61. Requesting Supreme Court opinion on Senate Bill 360. And pending amendment.

Mr. Robison moved that the following amendment offered by Mr. Davis (Pickens) be laid on the table:

Amend the resolution, Senate Resolution 61, as follows: Insert the phrase, "as provided by Section 34 of Title 13, Code of Alabama 1940," between the words "opinions on" which appear in the first sentence of the resolution.

The motion to table prevailed.

And the resolution, S. R. 61, was then adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Yarbrough (Autauga) and Lamberth:

S. 397. To provide for the operation of Thorsby Institute in Chilton County as a high school in the public school system of said county; making appropriations for that purpose.

Committee on Finance and Taxation.

By Mr. Van Antwerp:

S. 398. To amend Section 2 of Act No. 843, General Acts of 1953, page 1135, entitled "An Act relating to the powers of municipalities; to authorize the governing body of any city or town to alienate municipal property which is not needed for public or municipal purposes," to provide that in counties having a population of not less than 225,000 and not more than 400,000 inhabitants, according to the last or any subsequent federal decennial census, the limitation of the term of such leases to a period of ninety-nine years shall not apply to any oil, gas or mineral lease made in accordance with such ordinance.

Committee on Local Legislation.

By Mr. Vann:

S. 399. Relating to Madison County; changing the method of compensating the judge of probate; placing such officer on a salary; and providing for his assistants, and the office equipment, supplies, services, and materials necessary for the conduct of his office.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; changing the method of compensating the judge of probate; placing such officer on a salary; and providing for his assistants, and the office equipment, supplies, services, and materials necessary for the conduct of his office.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Madison County shall receive an annual salary of twelve thousand dollars (\$12,000) in lieu of all other compensation provided by law.

Section 2. The court of county commissioners, board of revenue or like governing body of Madison County shall provide compensation for clerks and assistants in such number as may be necessary for the total combined compensation of all such clerks and assistants shall not exceed the sum of thirty thousand dollars (\$30,000) per annum. The judge of probate shall appoint his own clerks and assistants, and shall fix their compensation.

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of the judge of probate of Madison County shall be collected for the use of the county and paid into the general fund of the county. The compensation of the judge of probate and of his clerks and assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue or like governing body of Madison County shall provide the judge of probate with the necessary books, stationery, office equipment, supplies, postage, telephone service, and other conveniences and equipment as shall be necessary for the proper and efficient conduct of the affairs of his office.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective at the expiration of the term of the incumbent judge of probate of Madison County, and upon the ratification of an amendment to the Constitution of Alabama authorizing the Legislature to enact laws regulating the compensation of such offices.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Buchanan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Vice President of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1957.

R. M. BUCHANAN,
Vice President.

Sworn to and subscribed before me July 30, 1957.

OPAL H. DILWORTH,
Notary Public.

By Mr. Vann:

S. 400. To amend Section 105, Title 17, Code of Alabama (1940), which makes certain general provisions relative to the use of voting machines, to make further provision in regard thereto in counties having a population of not less than 65,000 nor more than 75,000, according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Mr. Boutwell:

S. 401. To regulate further the compensation of the deputy circuit solicitor of the Tenth Judicial Circuit who is elected by the people of said circuit.

Committee on Judiciary.

By Mr. Boutwell:

S. 402. To provide that in each county of the State of Alabama having 500,000 or more population according to the last or any subsequent Federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Committee on Local Legislation.

By Mr. Boutwell:

S. 403. To amend Section 315 of Title 62, Code of Alabama 1940.

Committee on Local Legislation.

By Mr. Boutwell:

S. 404. To authorize each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, to sell and issue from time to time not exceeding \$1,500,000 in principal amount of interest-bearing warrants for the purpose of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein; to provide that such warrants shall evidence general obligation indebtedness of the county by which they are issued; to require public sale of any such warrants; to require the pledge and use for payment of the principal of and the interest on such warrants of so much as may be necessary for such purpose of the proceeds of the special cigarette and smoking tobacco license taxes levied in each such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county; to specify the effect and priority of each such pledge;

to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for executors, administrators, trustees and other fiduciaries; to provide that the provisions of this act shall control the provisions of any inconsistent law; and to provide that the issuance of any warrants and the interest coupons applicable thereto pursuant to the provisions of this act shall constitute the audit and allowance of claims against the county by which they are issued and against the proceeds of such tax proceeds pledged for such warrants and coupons.

Committee on Local Legislation.

By Mr. Boutwell:

S. 405. To amend an Act approved August 19, 1949, entitled "An Act to provide for absentee voting in primary, general, special, and municipal elections: Prescribing penalties for violations of the Act and repealing conflicting laws."

Committee on Judiciary.

By Mr. Calvin:

S. 406. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the 1957 Regular Session of the Alabama Legislature:

A BILL TO BE ENTITLED AN ACT

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section One: That the boundary lines of the City of Decatur in Morgan County, Alabama, be, and the same are hereby extended so as to include in addition to the territory now embraced therein, the following described property, to-wit:

A tract of land lying in the NE $\frac{1}{4}$ of Section 13, Township 5 South, Range 5 West, described as follows:

Beginning at the point of intersection of the East margin of Thirteenth Avenue N.W. and the South margin of Fifth Street N. W., said point being a stone marker on the NW corner of Block No. 53, Decatur Land Improvement and Furnace Co. Addition No. 1 to Decatur, Alabama, as amended by Spraggins, Fletcher, Beard and Knight, and designated at Amendment "A" to said Addition on file in the Office of the Judge of Probate of Morgan County, Alabama; thence South along the westerly boundary of said City Limits of the City of Decatur, Alabama, to the NW corner of Block 7, Decatur Land Improvement and Furnace Addition No. 1 to Decatur, Alabama, as amended by Spraggins, Fletcher Beard and Knight, and designated as Amendment "A" to said Addition on file in the Office of the Judge of Probate of Morgan County, Alabama, which is the South side of First Street N.W.; thence West along the City

Limits to a point opposite the S.W. corner of Block G. of the Decatur Land Improvement and Furnace Company's Addition No. 1 to Decatur, Alabama, as amended by Spraggins, Fletcher, Beard and Knight and designated as Amendment "A" to said Addition on file in the Office of the Judge of Probate of Morgan County, Alabama; thence North along the westerly margin of said Block G and also Blocks F, E, D, C, and B in said Addition to the southerly boundary of the right of the main line of the Southern Railway Company; thence in an Easterly direction on and along the southerly boundary of the right of way of the main line of the Southern Railway Company tracks to the present City Limits of the City of Decatur, Alabama; thence southwesterly at right angles to the right of way of the Southern Railway Company main line to Sixth Street N.W.; thence westerly along the northerly margin of Sixth Street N.W. to the N.E. corner of Steers Homes Housing Project property in the City of Decatur, Alabama; thence running West 490.04 feet to a point on the curving easterly margin of the Southern Railroad wye tail tract right of way; thence turning an angle of 100 degrees 39 minutes measured clockwise from back tangent to cord line, and running in a southwesterly and southerly direction along said curving right of way line a cord distance of 265.37 feet to a point; thence turning an angle of 169 degrees 21 minutes measured clockwise from back cord line and running South along the East margin of said railroad right of way 393.2 feet to a point on the North margin of Fifth Street N.W.; thence turning an angle of 90 degrees and running East along the North margin of Fifth Street N.W. 619.08 feet to the S. W. corner of Block 59 of the Decatur Land Improvement and Furnace Company to Decatur, Alabama, as amended by Spraggins, Fletcher, Beard and Knight and designated as Amendment "A" to said Addition on file in the Office of the Judge of Probate of Morgan County, Alabama; thence South 50 feet to the true point of beginning, all situated, lying, and being in the County of Morgan, State of Alabama,

Section Two: This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama; and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 2, 9, 16, and 23, all in the year of 1957.

B. C. SHELTON.

Subscribed and sworn to before me this July 23rd, 1957.

R. H. JERVIS,
Notary Public.

By Mr. Smith:

S. 407. To create the Russell County juvenile court; to prescribe the jurisdiction, powers, duties, and functions of the court; to provide for the election, term, duties, and compensation of the judge of the court; to abolish the juvenile court of Russell County and provide for the transfer of certain proceedings pending therein to the Russell County juvenile court; to provide for the transfer of certain judgments rendered in the

juvenile court of Russell County, and all records pertaining thereto, to the Russell County juvenile court created by this Act; and to repeal conflicting laws.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF RUSSELL**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To create the Russell County juvenile court; to prescribe the jurisdiction, powers, duties, and functions of the court; to provide for the election, term, duties, and compensation of the judge of the court; to abolish the juvenile court of Russell County and provide for the transfer of certain proceedings pending therein to the Russell County juvenile court; to provide for the transfer of certain judgements rendered in the juvenile court of Russell County, and all records pertaining thereto, to the Russell County juvenile court created by this Act; and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created the Russell County juvenile court, which shall have all the jurisdiction, powers, and duties as may be conferred on, or vested in, juvenile courts of this State under the provisions of Chapter 7 of Title 13, Code of Alabama (1940), or any laws amendatory thereof or supplementary thereto, or as may be conferred on, or vested in, the juvenile court of Russell County under any other laws of this State.

Section 2. A judge of the Russell County juvenile court shall be elected at the first constitutional amendment election or other county-wide election held in Russell County after the effective date of this Act. The judge first elected under the provisions of this Act shall take office immediately upon his election and qualification, and shall hold office until the first Monday after the second Tuesday in January, 1959, and until his successor shall have been elected and qualified as provided herein. On the date the first judge of the Russell County juvenile court takes office, upon his election and qualification as provided by this section, the Russell County juvenile court created herein shall become operative and shall thereafter function as the juvenile court of the county, and the juvenile court of Russell County, as is presently constituted, is hereby abolished as of such date. All proceedings pending in the juvenile court of Russell County on the date the Russell County juvenile court becomes operative shall immediately be transferred to the Russell County juvenile court and shall be handled as though originally brought in said court; and all judgements rendered in the juvenile court of Russell County, and all records pertaining thereto are hereby transferred to, and made a part of the records of, the Russell County juvenile court on the date such court becomes operative.

Section 3. A judge of the Russell County juvenile court shall be elected at the general election to be held in 1958, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following the date of

his election, and until his successor shall have been elected and qualified. Any vacancy in office caused by the death, resignation, or other removal of the judge of the Russell County juvenile court shall be filled by appointment by the Governor for the unexpired term.

Section 4. The judge of the Russell County juvenile court shall have all the jurisdiction, powers, and authority and shall perform all the duties and functions as may be conferred or vested in, or required of judges of juvenile courts under the general laws of this State, or as may be conferred on, vested in, or required of the judge of the juvenile court of Russell County under the provisions of any local law.

Section 5. The judge of the Russell County juvenile court shall receive a salary of two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly installments out of the general fund of the county.

Section 6. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Isabel A. Moses, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Phenix-Girard Journal, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 28th, July 5th, 12th and 19th, all in the year 1957.

ISABEL A. MOSES,
Publisher.

Sworn to and subscribed before me July 22nd, 1957.

T. C. SMITH,
Notary Public.

My commission expires March 4, 1958.

By Mr. Smith (by request):

S. 408. To alter, re-arrange and extend the boundaries of the town of Parrish in Walker County.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: No. 4284: 5/8/57

A BILL
TO BE ENTITLED
AN ACT

To alter- re-arrange and extend the boundaries of the town of Parrish in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the town of Parrish in Walker County, Alabama, are hereby altered, re-arranged and extended so as to include within the corporate limits of said municipality the following described land:

"Begin at the NW corner of the SW $\frac{1}{4}$ of Section 16, Township 15, South, Range 7 West, and thence run North along said section line $\frac{1}{4}$ mile to the NW corner of SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section: thence run East along the North boundary line of said forty $\frac{1}{4}$ mile to the NE corner of said forty; thence run South along the East boundary line of said forty $\frac{1}{4}$ mile to the SE corner of said forty; thence run East along the quarter section line $\frac{3}{4}$ of a mile to the West boundary line of Section 15, Township 15 South, Range 7 West; thence run North along said section line $\frac{1}{4}$ mile to the NW corner of the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section; thence run East along the North line of said forty $\frac{1}{4}$ mile to the NE corner of said forty; thence run South along the East boundary line for a distance of $\frac{1}{2}$ mile to the SE corner of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said section 15; thence run West along the South line of said forty for $\frac{1}{4}$ mile to the SW corner of said forty; thence run South along the West line of said section 15 for $\frac{1}{2}$ mile to the SE corner of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 21, Township 15, South, Range 7 West; thence run West along the quarter Section line $\frac{1}{2}$ mile to the intersection with the original City Limits of the said City of Parrish, Walker County, Alabama, thence follow the original City Limits of the said City of Parrish, Alabama, to the point of beginning, all of said lands described hereinabove being and lying in Walker County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bill Jones, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Walker County Times, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1957.

BILL JONES.

Sworn to and subscribed before me July 8, 1957.

LATHAM S. SADDLER,
Notary Public.

By Mr. Roberts:

S. 409. To amend Section 3 of an act approved June 19, 1951, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 47,000 people nor more than 100,000 people, according to the preliminary count of April 1, 1950, of the 1950 Federal Census or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all

such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city, and providing for their compensation for duties herein imposed; providing for the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general or special, in conflict with the provisions hereof" (Act No. 112, H. 380, Acts of 1951, p. 337); and making the provisions of the amendatory Act depend upon the favorable vote of the qualified electors voting at a referendum held for such purpose.

Committee on Local Legislation.

By Mr. Roberts:

S. 410. To amend an act approved September 4, 1951, entitled "An Act Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities" (Act No. 671, H. 921, Acts of 1951, Vol. II, p. 1158); making the operation of the amendatory Act depend upon the favorable vote of the qualified electors voting at a referendum called for such purpose.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Oden and Fite:

H. 110. To amend Section 4 of Title 19, Code of Alabama (1940), which relates to the order of the court on filing an application for condemnation, and the notice required to be given the owners of the land sought to be condemned.

By Messrs. Albea et al:

H. 288. To amend further Section 630 of Title 7, Code of Alabama (1940), which relates to the exemption of wages from garnishment or other process for the collection of debts.

By Messrs. Killough et al:

H. 289. To prescribe a method of making gifts of securities and money to minors and of regulating the management and control of such gifts during the minority of the donees thereof.

By Messrs. Hawkins et al:

H. 454. To amend Section 266 of Title 26, Code of Alabama 1940, as amended, the same relating to employers' records of injuries under the workmen's compensation law and reports to the department of industrial relations.

By Messrs. Hawkins et al:

H. 455. To amend Section 299 of Title 26, Code of Alabama 1940, as amended, the same relating to lump sum payments of benefits under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 456. To amend Section 285 of Title 26, Code of Alabama 1940, as amended, the same relating to the expenses of burial under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 457. To amend Section 279 of Title 26, Code of Alabama 1940, as amended, the same relating to the schedule of compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 458. To amend Section 283 of Title 26, Code of Alabama 1940, as amended, the same relating to death compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 459. To amend Section 287 of Title 26, Code of Alabama 1940, as amended, the same relating to the order in which total dependents take compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 460. To amend Section 289 of Title 26, Code of Alabama 1940, as amended, the same relating to the limitations on compensation under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 461. To amend Section 293 of Title 26, Code of Alabama 1940, as amended, the same relating to medical, surgical and hospital service under the workmen's compensation law.

By Messrs. Hawkins et al:

H. 462. To amend Section 304 of Title 26 of the 1940 Code of Alabama to provide that the trial of cases arising under the Workmen's Compensation Act shall be governed by the same rules and statutes as govern the trial of civil cases between the same parties.

By Messrs. Hawkins et al:

H. 463. To amend Section 221 of Title 26, Code of Alabama 1940, the same relating to court appeals in unemployment compensation cases.

By Messrs. Hawkins et al:

H. 464. To amend Section 204 of Title 26, Code of Alabama 1940, as amended, the same pertaining to experience rating under the Unemployment Compensation Law.

By Messrs. Hawkins et al:

H. 465. To amend Section 207 of Title 26, Code of Alabama 1940, as amended, the same relating to weekly unemployment benefit amounts.

By Messrs. Hawkins et al:

H. 466. To amend Section 216 of Title 26, Code of Alabama 1940, as amended, the same pertaining to Determinations under the Alabama Unemployment Compensation Law.

By Messrs. Hawkins et al:

H. 467. To repeal Section 210 of Title 26, Code of Alabama 1940, the same relating to seasonal employment under the Alabama Unemployment Compensation Law.

By Messrs. Hawkins et al:

H. 468. To amend Sections 197, as amended, 199, and 248, as amended, of Title 26, Code of Alabama 1940, the same dealing respectively with the Unemployment Compensation Trust Fund, withdrawals from the Unemployment Compensation Trust Fund and the Employment Security Administration Fund, all pertaining to the Unemployment Compensation Law.

By Messrs. Hawkins et al:

H. 469. To amend Section 202 of Title 26, Code of Alabama 1940, as amended, the same relating to contributions by employees under the Alabama Unemployment Compensation Law.

By Mr. Newton:

S. 160. To amend further Section 19 of Title 42, Code of Alabama (1940), which relates to probation and suspension of execution of sentences.

By Messrs. Flowers, Givhan, Grisham, Moses, Robison, Engelhardt, Vann, Yarbrough (Randolph), Boutwell, Roberts and Lamberth:

S. 168. To provide that Radio and Television Stations or Networks shall not be liable for certain defamatory statements by persons other than the owner, licensee, operator, agent or employee thereof.

By Messrs. Cooper, Lamberth, Yarbrough (Randolph), Flowers, Van Antwerp, Yarbrough (Autauga), Goodwin, Roberts, Eddins, Allen, Davis (Lowndes):

S. 254. To amend further Section 705 of Title 51, Code of Alabama (1940), which relates to the placement of tags on motor vehicles; providing for the use of only one tag, and for the placement thereof.

By Mr. Hall:

S. 292. Making it a misdemeanor for any person to wilfully violate the terms or mandate of any injunction issued by a judge or court of competent jurisdiction in a case involving civil rights, and providing for a jury trial upon the demand of any person charged with such offense.

By Mr. Lamberth:

S. 294. To repeal the act approved September 9, 1953, entitled "An Act To authorize life insurance companies of this State to invest in loans to corporations whose securities have been approved by the State Securities Commission of Alabama" (Act No. 539, H. 368, Acts of 1953, Vol. II, p. 755).

By Mr. Lamberth (By request):

S. 295. Providing for judicial notice by the Courts of this State of the law of other jurisdictions and for proof thereof and to make uniform the law with reference thereto.

By Mr. Reeves:

S. 340. To amend Sections 3 and 5 of Act 515 approved July 9, 1945, as amended, which relates to the Employees' Retirement System of Alabama.

By Mr. Reeves:

S. 341. To amend Sections 364 and 366 of Title 52 of the Code of Alabama of 1940, as amended, which relates to the Teachers' Retirement System.

By Mr. Vann:

S. 343. To provide for establishing in counties of less than 139,000 population a consolidated system of records by the several boards of registrars; for furnishing by county governing bodies of the necessary clerical assistance and supplies for setting up and maintaining such records; and for the registered electors to furnish information necessary to maintain such files in a manner consistent with the duties required to be performed by the boards of registrars.

By Messrs. Vann, Engelhardt and Cooper.

S. 344. To relieve members of boards of registrars from civil liability for damages for violations of civil rights growing out of the performance of duties imposed upon them by the laws of this State; and to provide for the payment by the State of Alabama of judgments rendered against registrars by courts of competent jurisdiction in civil actions for such damages.

By Messrs. Vann, Engelhardt and Cooper:

S. 345. To require every court in this State to cause to be entered the full name and date of birth of every person convicted in such court on the record or docket of the case; prescribing penalties.

By Mr. Flowers:

S. 347. Relating to the licensing of general contractors; amending sections 66, 70, 73, 74, 76, 77, 79, and 80 of Title 46, Code of Alabama (1940).

By Messrs. Robison, Skidmore and Flowers:

S. 353. To amend Section 122, as amended, Title 51, Code of Alabama, 1940:

By Messrs. Engelhardt, Cooper, Hall, Eddins, and Davis (Pickens):

S. 381. To amend Section 49 of Title 46, Code of Alabama 1940, which relates to the causes of removal of attorney.

By Mr. Reeves:

S. 369. To provide for the payment out of county funds of compensation for special deputies summoned by the sheriff in any emergency.

By Messrs. Vann and Engelhardt:

S. 389. Relating to the registration of voters; to provide further for questionnaires to be answered by applicants for registration, requiring the Supreme Court of Alabama to prescribe the form and content of such questionnaire annually, forbidding the adoption of identical questionnaires for consecutive years and authorizing the court to prescribe different questionnaires whenever it deems a change therein wise; to require applicants for registration to pledge that they had not received knowledge of the content of such questionnaire prior to being supplied the questionnaire by the board of registrars; and to prescribe penalties.

By Mr. Reeves:

S. 394. To repeal Section 76 of Title 45, Code of Alabama of 1940, and to amend Section 144 of Title 45, Code of Alabama of 1940, as amended.

By Mr. Merrill:

H. 29. To validate and confirm certain decrees heretofore rendered in adoption proceedings.

By Mr. Hawkins:

H. 66. To amend Section 199 of Title 7, Code of Alabama (1940), which provides for the service of process on nonresident owner or operator of a motor vehicle through the Secretary of State.

By Messrs. Callahan and deGraffenried:

H. 162. To amend further Section 55 of Title 8, Code of Alabama (1940), which relates to certain fees taxed as part of the costs in cases involving violations of the State game and fish laws.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Engelhardt, Cooper, Hall, Eddins, and Davis (Pickens) (with amendment):

S. 380. To define the crime of barratry; to define certain terms; to prohibit barratry and to provide penalties for persons found guilty thereof; to prohibit aiding and abetting barrators; to authorize certain courts of record to enjoin barratry and to prescribe the officers who may

bring suits therefor; to provide that conduct prohibited by the act shall constitute unprofessional conduct.

By Mr. Roberts (with amendment):

S. 386. To provide for filing of suit against companies, partnerships, individuals, or corporations publishing newspapers or magazines in the State of Alabama.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (with substitute):

S. 318. To amend Section 195 (1) of Title 13 of the Code of Alabama of 1940, which relates to the eligibility and commissioning of supernumerary circuit judges.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate without recommendation, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tate (without recommendation):

S. 335. Relating to legislative representation; fixing the number of senators and dividing the State into as many senatorial districts as there are senators.

By Mr. Tate (without recommendation):

S. 336. To reapportion the membership of the House of Representatives among the several counties of the State.

By Mr. Robison (without recommendation):

S. 356. To provide for actions for wrongful death, and to repeal conflicting laws, and to repeal Section 123 of Title 7 of the Code of Alabama of 1940.

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Allen (with amendment):

S. 1. To propose an amendment to the Constitution of Alabama relating to the sessions of the Legislature and the compensation of the members thereof.

The above Bill was read a second time at length as required by the Constitution.

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tate:

S. 375. To propose an amendment to the Constitution of Alabama relative to the abridgement of the terms of office of elected county or municipal officers by the abolition of the office or otherwise.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Payne et al:

H. 203. Proposing an amendment to the Constitution of Alabama, to authorize the use of a portion of the proceeds derived from the levy of certain special county taxes for the purpose of providing hospital care and treatment for certain indigent residents of the county.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Hain, Gilmer and Hardy:

H. 450. To propose an amendment to the Constitution of Alabama relating to the fees, commissions, percentages, allowances, and compensation of certain officers of Dallas County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Fite:

H. 699. Proposing an amendment to the Constitution relating to Marion County.

The above Bill was read a second time at length as required by the Constitution.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison:

S. 76. To provide a State scholarship program to promote the education of nurses; and making an appropriation therefor.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Robison (with amendment):

S. 77. To provide a State scholarship program to promote the education of negro nurses; and making an appropriation therefor.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Nice et al (with substitute):

H. 82. Providing further for prevention, care, treatment and rehabilitation of alcoholics; authorizing the Commission on Education with Respect to Alcoholism to establish outpatient clinics for limited care and treatment of alcoholics; authorizing the use of hospital beds wherever accessible and certain psychiatric services for the hospitalization and care and treatment of alcoholics; providing for the appointment, duties and compensation of an administrator for the Commission, providing for the appointment, duties and compensation of personnel necessary to carry out the provisions of this Act; and the keeping of records, information and research incident thereto; directing the Commission to investigate the financial condition of alcoholics requesting care and treatment at any of the clinics or other hospitals where beds are accessible, and to assess and collect from any such person that portion of the cost of his or her care and treatment as he or she is financially able to pay; making appropriations for the purpose of carrying out the provisions of this Act.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. deGraffenried (with amendment):

H. 167. For the relief of Murray R. Lollar.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lackey et al:

H. 79. To provide for a long range survey of the State's educational system, creating the Alabama Education Commission and making an appropriation.

By Messrs. Flowers, Lamberth, Vann, Cantrell, Grisham, Calvin, Roberts, Jones, Leonard, Reeves, Smith, Givhan, Robison, Davis (Pickens), Davis (Lowndes) and Allen:

S. 363. To amend Section 12 of Title 48, Code of Alabama (1940), which fixes the compensation of the president and associate members of the Alabama Public Service Commission.

By Mr. Flowers:

S. 348. To make an appropriation to the Agricultural Center Board for each of the two fiscal years ending September 30, 1958 and September 30, 1959, for the purpose of aiding counties and municipalities in constructing and equipping facilities suitable for housing livestock shows, agricultural and industrial displays and other agricultural uses and purposes consistent with the betterment and advancement of agriculture.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Leonard, Givhan, Moses, Davis (Lowndes), Skidmore, Shelton, Allen and Roberts (with substitute):

S. 137. To authorize the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama, for the purpose of financing the construction, improvement, and equipment of buildings, and acquiring sites therefor, at the Alabama Institute for Deaf and Blind; to make an appropriation for the payment of such bonds; to exempt the bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale, and issuance of the bonds, and for the disposition of the proceeds thereof.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Givhan (with amendment):

S. 174. To make an appropriation to provide for the construction of an auditorium at the Piedmont Agricultural Experiment Sub-station in Tallapoosa County.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the

following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Metcalf, Cooper, Cantrell and Allen (with substitute):

S. 55. To provide for the further promotion of river development in this State; to create the Alabama River Development Authority; to provide for the selection of the members of the Authority, and to prescribe their powers, duties, terms, qualifications, and compensation; to prescribe the authority and functions of the Authority; to provide for the appointment of an administrator of the Authority, and to prescribe his powers, duties, term, qualifications, and compensation; and to make an appropriation for the purposes of the Act.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Kendall et al (with amendment):

H. 204. To provide a hospital service program for certain indigent residents of the State of Alabama; prescribing the power, duties, and authority of the State Board of Health in the administration and enforcement of the Act; to provide for the appointment, duties, and compensation of the members of an advisory committee, who shall consult with and advise the State Board of Health on matters pertaining to the administration and enforcement of the Act; to provide for the appointment of an admissions committee in each county to determine the indigency of persons making application for hospitalization as indigents, and to prescribe the power, duties, and compensation of members of the admissions committee; to regulate the distribution and expenditure of funds appropriated for the purpose of carrying out the provisions of the Act; and to prescribe penalties for violations of the Act.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Vacca:

H. 90. To amend Section 12, Title 51, Code of Alabama 1940, relating to Young Men's Christian Associations.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Allen, Flowers, Givhan, Reeves, Boutwell, Skidmore, Davis (Pickens), Moses, Davis (Lowndes), Vann, Cooper, Tate, James, Roberts, Little, Grisham, Engelhardt and Eddins (with substitute):

S. 18. To provide for a refund of a portion of the state tax paid on gasoline used exclusively for farming purposes; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable

report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hawkins and Dawkins:

H. 12. To make appropriations for the ordinary expenses, equipment purchases, and additions and betterments of the Department of Conservation, Division of State Parks, Monuments and Historical Sites.

By Messrs. Stokes et al:

H. 234. To fix the compensation of Circuit Solicitors payable from the State Treasury.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Engelhardt, Lamberth, Flowers and Jones (with amendment):

S. 350. To provide for the employment of temporary clerks, typists and technical assistants by the Legislative Reference Service.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Givhan, Flowers, Lamberth and Cooper (with substitute):

S. 79. To make an appropriation of Two Hundred and Fifty Thousand Dollars (\$250,000.00) from monies in the State Treasury not otherwise appropriated for each of the two fiscal years ending September 30, 1958 and September 30, 1959 to be used for control and eradication of the fire ant.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Cooper, Roberts, Moses, Davis (Pickens), Flowers and Metcalf:

S. 391. To amend the act approved May 22, 1945, entitled "An Act To conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama" (Act No. 1, H. 46, 1945 General Acts 1).

By Mr. Lamberth:

S. 365. To appropriate out of any funds in the State Treasury to the credit of the general fund, not otherwise appropriated, the sum of \$150,000 to the Department of Conservation to be used only for the purchase of lands to be made a part of the Horseshoe Bend National Military Park: and to provide for the lease, sale, swap, exchange, transfer, or otherwise dispose of such lands, including the right to convey same without consideration to the United States of America.

By Mr. Dawkins:

H. 136. To amend Section 1 of Act No. 248, H. 87, approved August 16, 1955 (Acts of Alabama, 1955, Vol. 1, p. 586), which levies an additional privilege license tax upon any person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients, by exempting from the tax any rooms, lodgings, or accommodations supplied for a period of thirty or more continuous days.

By Messrs. Simon and Goodwyn:

H. 274. To amend Section 62 of Title 13 of the Code of 1940, relating to the Reporter of Decisions of the Supreme Court and Court of Appeals.

By Messrs. Simon and Goodwyn:

H. 275. To amend Section 57 of Title 13 of the Code of 1940, as amended, relating to the salary of the Clerk of the Supreme Court of Alabama.

By Mr. Goodwyn:

H. 482. To make an additional appropriation to the State Board of Registration for Architects for the fiscal year ending September 30, 1957 from funds in the State Treasury to the credit of the State Board of Registration for Architects.

By Messrs. Lamberth, Roberts and Flowers:

S. 21. To make an appropriation for the support of the Council of State Governments.

By Messrs. Lamberth, Roberts and Flowers:

S. 22. To make an appropriation for the support of the Southern Regional Council on Mental Health Training and Research.

By Messrs. Lamberth, Roberts and Flowers:

S. 28. To provide a Revolving Fund for the Department of Finance, Division of Service Mail and Supply Room; and to make an appropriation thereto.

By Messrs. Vann and Moses:

S. 390. To authorize the several counties of the state to expend the fees, exercises, or license taxes referred to in Amendment 93 of the Constitution of Alabama 1901.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Stembridge et al (with amendment) :

H. 390. To amend Section 613 of Title 51, Code of Alabama (1940), which relates to the license on Vending Machines.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Haltom et al:

H. 253. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by

promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$3,000,000 and to incur indebtedness not exceeding in aggregate \$3,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$3,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and to provide an effective date of this Act.

By Messrs. Lamberth, Metcalf, Flowers, Leonard, Van Antwerp, Roberts and Allen:

S. 362. To provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, division, commission, committee, institution, corporation, authority, office, or other state agency.

Mr. Reeves, Chairman of the Standing Committee on Temperance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dawkins:

H. 135. To amend Section 5, Title 29, Code of Alabama 1940.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tate:

S. 371. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; pro-

viding for the division of such counties into districts; providing for the election of one member of the governing body of each such county from each of such districts; prescribing the powers and duties of the governing bodies of such counties, and the qualifications, terms of office, compensation, and manner of election of the members thereof; and excepting the judge of probate or other chairman of the governing body of each such county from the operation of the Act.

By Mr. Moses (with notice and proof):

S. 372. To alter, re-arrange and extend the boundary lines and corporate limits of the Town of Fyffe, in DeKalb County, Alabama.

By Mr. Flowers (with notice and proof)::

S. 377. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Goodwin (with notice and proof) (with amendment):

S. 378. To alter, rearrange, extend and fix the boundaries and limits of the City of Andalusia, in the State of Alabama.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Davis (Lowndes) (with notice and proof):

S. 379. Relating to Lowndes County: To authorize and empower the county board of education of Lowndes County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

By Mr. Boutwell:

S. 384. To fix the fee and allowance of the Sheriff of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving a summons or other mesne process, except subpoenas for witnesses; repealing conflicting laws:

By Mr. Boutwell:

S. 385. To fix the fee and allowance of the Constables of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving any summons or other mesne process, except subpoenas for witnesses, where the amount in controversy is Twenty Dollars (\$20) or more; repealing conflicting laws:

By Mr. Roberts:

S. 387. To regulate further the purchasing practices of counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

By Mr. Skidmore (with notice and proof):

S. 393. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa in Tuscaloosa County, Alabama.

By Messrs. Simon, Murphy and Tyson:

H. 120. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

By Messrs. Simon, Murphy and Tyson:

H. 125. To fix the supplemental salaries of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges; and to repeal Act No. 21, H. 74, approved May 26, 1955.

By Messrs. Simon, Murphy and Tyson:

H. 127. To amend Section 1 of an act approved August 3, 1955, entitled "An Act To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges," (Act No. 210, H. 699, Acts of 1955, Vol. I, p. 515).

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Edwards (Escambia) (with notice and proof) (with amendment):

H. 384. To provide for an additional deputy sheriff for Escambia County.

By Mr. Edwards (Escambia) (with notice and proof) (with amendment):

H. 385. Relating to Escambia County: To increase the compensation of deputies sheriff of such county, and providing for the payment thereof.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Simon and Murphy:

H. 408. To amend Section 6 of an act approved June 30, 1955, entitled "An Act To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board" (Act No. 105, S. 152, Acts of Alabama, 1955, Vol. I, p. 350).

By Mr. Kelly:

H. 432. To amend further Section 257 of Title 13, Code of Alabama (1940), which fixes the compensation of deputy solicitors in certain counties, by providing for the compensation of the deputy solicitor of Winston County.

By Messrs. Hardy, Gilmer and Hain (with notice and proof):

H. 448. Relating to Dallas County: To create and establish in Dallas County a court to be known as the "Dallas County Court"; defining its jurisdiction; providing it with officers, defining their powers, duties,

compensation, term of office, and the manner of their selection, appointment and election; regulating its procedure and process; prescribing costs and fees therein; taking criminal jurisdiction away from justice of the peace courts in the county; and providing for the transfer of cases pending in justice of the peace courts at the time this Act takes effect to the court hereby created and the trial of such cases in this court.

By Messrs. Hardy, Gilmer and Hain (with notice and proof):

H. 449. To repeal Act No. 25, S. 39, approved September 17, 1932 (Local Acts of Alabama 1932, Extra Session, p. 7), entitled "An Act To establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the Peace, and notaries public with powers of justices of the peace, in said precinct, to be known as 'The Court of Common Pleas of Selma,' and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of the judge thereof; to provide for the execution of the process of said court, the issuance of certificates of judgment and the operation thereof; to regulate the procedure in said court, and the appeals therefrom; to provide for the appointment or election of the judge of said court; to fix the qualifications and compensation of said judge and the mode of his election; and term of office; to provide for the payment of the salary of the judge and the expenses of said court; to abolish the office of justice of peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court of all causes pending in the justice of the peace courts in said precinct; to provide that the judge of said court may practice law; to provide for the payment of salaries of the Sheriff and Deputy Solicitor of said County for services rendered said Court; and to fix the costs and fees, and provide for the disposition of costs, fees, fines and forfeitures in said Court."

By Mr. Davis (with notice and proof):

H. 554. Relating to Cullman County; changing the method of compensating certain officers of the county; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

By Messrs. McNider and Bradford:

H. 566. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census.

By Mr. Burkhalter (with notice and proof):

H. 573. To amend Section 5 of an act entitled "Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws," approved August 23, 1955, being Act No. 261.

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 594. To amend Act No. 40, S. 4, approved March 23, 1956 (Acts of Alabama, 1956, p. 328), entitled "An Act To establish and create a court of record for Mobile County in lieu of the Inferior Criminal Court of Mobile County to be known as The Court of General Sessions of Mobile County; to provide and define the jurisdiction of said court and the terms thereof; to provide for the two judges and the officers of said court and

their powers, duties and compensation, to fix the term of office of such judges; to provide rules of procedure and to fix the fees and costs of such court; to provide for the transfer of cases from the Inferior Criminal Court to the court hereby created; and to effect the repeal of the acts creating the Inferior Criminal Court of Mobile or to abolish the Inferior Criminal Court of Mobile County."

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 595. To regulate primary and general elections of Judges of The Court of General Sessions of Mobile County.

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 597. For the relief of Joseph L. Morrison, by the payment to him of the sum of \$250.00 to enable him to pay the expense or cost to him of the services of a private physician in the treatment of him for injuries sustained on or about December 10, 1954 while in the employ of Mobile County and then and there engaged in the line and scope of his employment with Mobile County; to provide that said sum shall be payable by Mobile County from its General Funds and that this act shall be effective immediately upon its becoming a law.

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 598. To provide for the appointment of bailiffs by the judges of the Court of General Sessions of Mobile County, to fix their compensation and to provide for the payment thereof:

By Messrs. Simon, Murphy and Tyson:

H. 623. To authorize the governing body of any city or town in any county in Alabama, having a population of more than 225,000 but not more than 500,000 inhabitants according to the last or any subsequent federal decennial census, to abandon certain parks, and providing for the vesting of title to the lands forming such park after such abandonment.

By Mr. Locke (Choctaw) (with notice and proof):

H. 626. Relating to Choctaw County: To amend Section 4 of Act No. 660, General & Local Acts of 1951, approved September 4, 1951, relating to the Inferior Court of Choctaw County.

By Mr. Davis (with notice and proof):

H. 628. To amend an act approved August 26, 1953, entitled "An Act Relating to Cullman County; fixing the compensation of the coroner" (Act No. 374, H. 736, Acts of Alabama, Regular Session, 1953, Vol. I, p. 446).

By Mr. Ferrell (with notice and proof):

H. 630. To require a license for each person, firm, corporation, dealer or agent selling, offering to sell, or soliciting orders for the sale of furniture, household goods and appliances to ultimate consumers who do not maintain a regular established place of business in DeKalb County, Alabama, for the sale of such furniture and provide for the collection of said license, and to provide a penalty for failure to take out said license and to provide that the Probate Judge issue said license and to provide that the money collected from said license to be paid into the General Fund of DeKalb County, Alabama, for general purposes.

By Messrs. Lackey et al:

H. 631. To amend retrospectively Section 22 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, relating to cities having a population of two hundred and fifty thousand inhabitants according to the last or any succeeding federal census.

By Messrs. Lackey et al:

H. 632. To amend retrospectively Section 9 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

By Mr. Lee (Lawrence) (with notice and proof):

H. 634. Relating to Lawrence County; regulating further the times and places of registering voters by the board of registrars.

By Mr. Lee (Lawrence) (with notice and proof):

H. 635. Relating to Lawrence County, fixing the time of meeting of the county board of equalization to review, revise, correct and fix the assessment values as set by the tax assessor; repealing conflicting laws.

By Mr. Cox (with notice and proof):

H. 638. To extend the corporate limit lines of the City of Guntersville, Alabama, and to provide when said Act will take effect.

By Messrs. Simon, Tyson, and Murphy (with notice and proof):

H. 639. Relating to Mobile County: To fix the compensation of the register of the circuit court of Mobile County.

By Messrs. Murphy, Simon and Tyson:

H. 640. To amend the title and Sections 6 and 9 of Act No. 31 adopted at the Second Special Session of the Legislature of Alabama of 1956, which act is applicable to any county having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent federal census, so as to provide for the issuance of general obligation warrants of such counties in amounts which, when added to the amount of the special recording fees provided for in said Act No. 31 on hand for such purpose remaining after creating a special fund as a reserve or cushion for the benefit of such warrants, will be sufficient to pay the costs of installation of the improved indexing and recording provided for in said act, and so as to provide that such warrants and any interest coupons applicable thereto shall evidence claims for office supplies for offices of Probate Judges within the meaning of Subsection 3 of Section 121 of Title 12 of the Code of Alabama of 1940, as amended, and so as to provide that issuance of such warrants and coupons shall constitute audit and allowance of such claims and that said claims need not be proved or registered.

By Messrs. Murphy, Simon, and Tyson:

H. 641. Applying in counties having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent Federal census; providing for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate of such county.

By Messrs. Simon, Tyson and Murphy (with notice and proof):

H. 642. Relating to Mobile County: To fix the compensation of the clerk of the circuit court of Mobile County.

By Messrs. Payne and McKay (with notice and proof):

H. 646. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 461, H. 885, Local Acts of 1947, p. 323).

By Messrs. Payne and McKay (with notice and proof):

H. 647. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Circuit Clerk of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 460, H. 884, Local Acts of 1947, p. 322).

By Messrs. Payne and McKay (with notice and proof):

H. 648. To amend Section 27 of an act approved March 15, 1911, entitled "An Act to provide for the better construction, repairing, working

and maintaining of public roads and bridges in Talladega County, Alabama" (Act No. 118, S. 203, Local Acts of 1911, p. 113).

By Messrs. Payne and McKay (with notice and proof):

H. 649. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Sheriff of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 462, H. 886, Local Acts of 1947, p. 324).

By Messrs. Taylor and Killough (with notice and proof):

H. 652. To extend, alter, rearrange and define the boundary lines and corporate limits of the Town of Georgiana, in Butler County, Alabama.

By Mr. Fite:

H. 665. To prescribe a rule of procedure in the circuit court of any county in the Twenty-fifth Judicial Circuit of Alabama relative to the joinder of necessary parties.

By Messrs. Hall, Dawkins and Nolen:

H. 666. To fix the supplemental salary of the Deputy Circuit Solicitors of the Fifteenth Judicial Circuit of Alabama to provide that said supplemental salaries shall be paid out of the general fund of Montgomery County, Alabama, and to provide when said act shall go into effect.

By Messrs. Dawkins, Nolen, Hall and Goodwyn:

H. 667. To amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees.

By Messrs. Dawkins, Hall, Goodwyn, and Nolen:

H. 668. Further regulating the terms of service and compensation of the members of boards of equalization in counties having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census.

By Mr. Wood (with notice and proof):

H. 671. To authorize the governing body of Washington County, Alabama to pay the sum of Seven Hundred and Fifty Dollars (\$750.00) out of the gasoline tax fund, road and bridge fund or any other fund in the county treasury not otherwise appropriated to reimburse Mrs. Mary K. Martin for medical and other expense in connection with the death of Mary Anna Martin, who died as a result of an automobile accident in a public road in Washington County, Alabama.

By Messrs. Selman and Shumate (with notice and proof):

H. 673. To abolish the City Court of Jasper established by an Act approved March 29th, 1911, and to create and establish in lieu thereof, and in lieu of all justices of the peace and notaries public with powers of justices of the peace, in Precinct One of Walker County, an inferior court to be known as the Court of Common Pleas of Walker County; defining the jurisdiction and powers of said Court and the Judge thereof; providing for officers of said Court and for their compensation.

By Messrs. Shumate and Selman:

H. 674. Relating to Walker County: To authorize the City of Jasper to convey certain property to Walker College, Incorporated.

By Mr. Locke (Choctaw) (with notice and proof):

H. 678. To provide for the payment of expenses incurred by members of the court of county commissioners, board of revenue, or like governing body of Choctaw County which are incurred in the performance of their duties.

By Messrs. Bradford and McNider:

H. 682. Relating to the registration of voters in counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; relieving the members of the boards of registrars in such counties of the duty of visiting precincts or voting places in the performance of their official duties.

By Mr. Huddleston (with notice and proof):

H. 684. Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

By Mr. Huddleston (with notice and proof):

H. 685. Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county governing body may levy an additional county privilege or excise tax on tobacco and certain tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

By Mr. Huddleston:

H. 686. Proposing an amendment to the Constitution relating to the compensation of certain officers of Colbert County.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Crook and McLendon:

H. 687. To propose an amendment to the Constitution of Alabama relative to the industrial development of Bullock County.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Law and Johnson (Elmore) (with notice and proof):

H. 688. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

By Messrs. Law and Johnson (Elmore) (with notice and proof):

H. 689. Relating to Elmore County: Authorizing and directing the Court of County Commissioners of the County of Elmore to pay to James E. Johnson the sum of One Hundred Fifty (\$150.00) Dollars out of the general fund of Elmore County, Alabama.

By Messrs. Vacca, Adams (Jefferson) Nice, Perry, Edwards (Jefferson), Lackey and Kaul (with notice and proof):

H. 695. An Act to amend Sections 2, 3 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the city of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the Legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

By Messrs. Perry, Edwards (Jefferson), Vacca, Nice, Adams (Jefferson), Lackey, and Kaul (with notice and proof):

H. 696. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

By Messrs. Holliman and Kirkham (with notice and proof):

H. 698. To alter, rearrange, extend, and establish the boundary lines and corporate limits of the Town of Linden, Marengo County, Alabama.

By Mr. Fite:

H. 700. Proposing an amendment to the Constitution relating to Marion County.

The above bill was read a second time at length as required by the Constitution.

By Messrs. Simon and Murphy (with notice and proof):

H. 704. To regulate further the office of the Judge of Probate of Mobile County; authorizing and empowering the Judge of Probate to create and establish divisions for the performance and function of duties of his office, to assign functions and duties to such divisions and to delegate certain powers to the Chiefs of such divisions; which act appears in Acts of Alabama of 1955 at pages 335 and 336, approved June 28, 1955.

By Messrs. de Graffenried and Callahan (with notice and proof):

H. 722. To amend Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; making such taxes applicable to certain public corporations or institutions.

By Messrs. de Graffenried and Callahan:

H. 723. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Board of Education in such counties.

By Messrs. Callahan and de Graffenried:

H. 725. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census.

By Messrs. de Graffenried and Callahan (with notice and proof):

H. 726. To amend further Section 4 of an act approved August 3, 1927 (Act No. 228, H. 707, Local Acts of Alabama, 1927, p. 130), an act which established the Inferior Court of Tuscaloosa County, Alabama.

By Mr. Kelly:

H. 730. Relating to municipalities having a population of not less than 3,250 nor more than 3,350, according to the last or any subsequent federal decennial census; providing further for the public health and safety in such municipalities; prohibiting any person to build, maintain, or use a privy, or to own any building which does not have screened doors and windows, in such municipalities; and providing for the installation of water closets, septic tanks, and screens, and for the connection of such water closets with such septic tanks or the municipal sewerage system, by the municipality, and for the assessment of the cost thereof against the owner, in the event the owner fails to make such installation or connection, or to screen such doors and windows.

By Mr. Franklin:

H. 737. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; providing for the division of such counties into districts; providing for the election of one member of the governing body of each such county from each of such districts; prescribing the powers and duties of the governing bodies of such counties, and the qualifications, terms of office, compensation, and manner of election of the members thereof; and excepting the judge of probate or other chairman of the governing body of each such county from the operation of the Act.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Simon and Murphy (with substitute) (with notice and proof):

H. 117. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-fourth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-fourth Legislative Day was approved by the Senate.

ADJOURNMENT

At 6:10 P. M., on motion of Mr. Eddins pending further consideration of S. B. 119, and in accordance with motion heretofore adopted, the Senate adjourned until Friday, August 2, 1957, at 10 o'clock A. M.

 TWENTY-FIFTH LEGISLATIVE DAY

FRIDAY, AUGUST 2, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend Robert Calvert, Graduate, Southern Baptist Theological Seminary, Louisville, Kentucky.

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	

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JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

LEAVE OF ABSENCE

On motion of Mr. Lamberth, leave of absence was granted Mr. Cooper for today.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following Senate Joint Resolutions with the original Senate Joint Resolutions, respectively, and finds same correctly enrolled, to-wit:

S. J. R. 63. Extending thanks to the legislative delegation from Mobile County for the seafood dinner at the Whitley Hotel on July 23, 1957.

Also:

S. J. R. 64. Congratulating Dick Callahan of Tuscaloosa, State Representative at the Teen-age Road-E-O, held in Washington, D. C., sponsored by the National Jaycees.

A. C. SHELTON,
Chairman.

SIGNING OF SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

REPORTS OF COMMITTEES

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Metcalf and Eddins (with substitute):

S. 59. To authorize the State Oil and Gas Board at their discretion to specify and designate the size of drilling units on State-owned water bottoms South of the Mobile Bay Causeway in Mobile Bay, Mississippi Sound and the Gulf of Mexico.

By Mr. Metcalf (with substitute):

S. 61. To provide authority for the Director of Conservation to prescribe rules and regulations for the conducting of geophysical and seismic exploratory work on State-owned lands or water bottoms.

By Messrs. Metcalf and Eddins (with substitute):

S. 63. To amend paragraph B of Section 179 (33) of Title 26 of the Code of Alabama of 1940 as amended, approved May 22, 1945, which relates to the power of the Board to prescribe rules and regulations; public hearings.

By Messrs. Metcalf and Eddins (with substitute):

S. 64. To amend Section 431 (12) of Title 51 of the Code of Alabama of 1940, which relates to the size of producing oil and gas units for ad valorem tax exemption.

By Messrs. Metcalf and Eddins (with substitute):

S. 65. To amend Section 179 (38) of Title 26 of the Code of Alabama 1940, which relates to the method of appeals from the State Oil and Gas Board of Alabama by filing a suit.

By Messrs. Metcalf and Eddins (with substitute):

S. 66. To amend Section 179 of Title 26 of the Code of Alabama of 1940, approved May 22, 1945, by adding thereto a new subsection to be subsection (36-a), to grant to the State Oil and Gas Board of Alabama authority to establish unit operation of a pool or pools, or any portion or portions or combinations thereof, in a field for the production of oil or gas, or both; provide the method of establishment thereof; holding of hearings; promulgation of orders in connection therewith; the effect thereof.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Tate:

S. 239. To protect the grantors of certain interests in oil and gas in Alabama; providing for the forfeiture by non-user of certain optional oil and gas leases, requiring producers of oil and gas to inform royalty owners of certain activities relative to their production operations; re-

quiring prompt payment of royalties from the production of oil and gas; and prescribing penalties.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Tate:

S. 322. To protect further the grantors of certain interests in gas and oil in Alabama by requiring the prompt payment of royalties accruing from the production of oil and gas; prescribing a penalty for failure to promptly pay such royalties; and authorizing and regulating payments as escrows under certain conditions in lieu of payments directly to the royalty owners.

By Mr. Tate:

S. 334. To amend Sections 3 and 5 of Act No. 1, H. 46 approved May 22, 1945 (General Acts of Alabama 1945, page 1) which provided for the regulation, control and supervision of the drilling for and production and use of oil and gas in the State and incident thereto created the oil and gas board, by prescribing additional qualifications for members and employees of such board.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Nolen et al:

H. 490. Providing for the utilization of convicts by the Commissioner of Corrections or the Director of the State Highway Department to work upon, clean, and restore certain cemeteries or graveyards.

Mr. Calvin, Chairman of the Standing Committee on Public Roads and Highways, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Smith, Englehardt, Boutwell, Givhan, Skidmore, Van Antwerp and Davis (Lowndes) (with amendment):

S. 373. Providing for the relocation of utility facilities, when necessitated by Federal-aid highway projects, and the payment of the cost of such relocation by the State as a highway construction cost with reimbursement from Federal funds as provided in the Federal-Aid Highway Act of 1956; prescribing the powers and duties of the state highway director in regard thereto; and providing the method of reimbursing said utilities.

Mr. Roberts, Chairman of the Standing Committee on Judiciary, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Boutwell (with amendment):

S. 401. To regulate further the compensation of the deputy circuit solicitor of the Tenth Judicial Circuit who is elected by the people of said circuit.

By Mr. Goodwyn (with amendment):

H. 484. To amend Section 20 of Title 34 of the Code of Alabama of 1940, as last amended, and to provide for a divorce in instances where

there has been a divorce from bed and board or a decree of separate maintenance, for more than seven years.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Oden:

H. 71. To provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office, and prescribing penalties.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Van Antwerp:

S. 398. To amend Section 2 of Act No. 843, General Acts of 1953, page 1135, entitled "An Act relating to the powers of municipalities; to authorize the governing body of any city or town to alienate municipal property which is not needed for public or municipal purposes," to provide that in counties having a population of not less than 225,000 and not more than 400,000 inhabitants, according to the last or any subsequent federal decennial census, the limitation of the term of such leases to a period of ninety-nine years shall not apply to any oil, gas or mineral lease made in accordance with such ordinance.

By Mr. Vann (with notice and proof):

S. 399. Relating to Madison County; changing the method of compensating the judge of probate; placing such officer on a salary; and providing for his assistants, and the office equipment, supplies, services, and materials necessary for the conduct of his office.

By Mr. Boutwell:

S. 402. To provide that in each county of the state of Alabama having 500,000 or more population according to the last or any subsequent federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

By Mr. Boutwell:

S. 403. To amend Section 315 of Title 62, Code of Alabama 1940.

By Mr. Boutwell:

S. 404. To authorize each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census,

to sell and issue from time to time not exceeding \$1,500,000 in principal amount of interest-bearing warrants for the purpose of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein; to provide that such warrants shall evidence general obligation indebtedness of the county by which they are issued; to require public sale of any such warrants; to require the pledge and use for payment of the principal of and the interest on such warrants of so much as may be necessary for such purpose of the proceeds of the special cigarette and smoking tobacco license taxes levied in each such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county; to specify the effect and priority of each such pledge; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for executors, administrators, trustees and other fiduciaries; to provide that the provisions of this act shall control the provisions of any inconsistent law; and to provide that the issuance of any warrants and the interest coupons applicable thereto pursuant to the provisions of this act shall constitute the audit and allowance of claims against the county by which they are issued and against the proceeds of such tax proceeds pledged for such warrants and coupons.

By Mr. Calvin (with notice and proof):

S. 406. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Mr. Smith (with notice and proof):

S. 407. To create the Russell County juvenile court; to prescribe the jurisdiction, powers, duties, and functions of the court; to provide for the election, term, duties, and compensation of the judge of the court; to abolish the juvenile court of Russell County and provide for the transfer of certain proceedings pending therein to the Russell County juvenile court; to provide for the transfer of certain judgments rendered in the juvenile court of Russell County, and all records pertaining thereto, to the Russell County juvenile court created by this Act; and to repeal conflicting laws.

By Mr. Smith (by request) (with notice and proof):

S. 408. To alter, re-arrange and extend the boundaries of the town of Parrish in Walker County.

By Mr. Roberts:

S. 409. To amend Section 3 of an act approved June 19, 1951, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 47,000 people nor more than 100,000 people, according to the preliminary count of April 1, 1950, of the 1950 Federal Census or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city, and providing for their compensation for duties herein imposed; providing for the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general or special, in conflict with the provisions hereof" (Act No. 112, H. 380, Acts of 1951, p. 337); and making the provisions of the amendatory Act depend upon the favorable vote of the qualified electors voting at a referendum held for such purpose.

By Mr. Roberts:

S. 410. To amend an act approved September 4, 1951, entitled "An Act Relating to cities having populations of not less than 50,000 nor more

than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities" (Act No. 671, H. 921, Acts of 1951, Vol. II, p. 1158); making the operation of the amendatory Act depend upon the favorable vote of the qualified electors voting at a referendum called for such purpose.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with amendment, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Edwards (Escambia) and Law (with amendment):

H. 387. To provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof.

By Mr. Brannan (with notice and proof) (with amendment):

H. 558. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Brannan:

H. 734. Relating to all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties.

By Messrs. Killough and Taylor:

H. 739. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Ferrell (with notice and proof):

H. 741. To alter or re-arrange the boundary lines of the Town of Geraldine, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

By Mr. Stembridge (with notice and proof):

H. 742. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

By Messrs. Vacca et al:

H. 743. To fix the fee and allowance of the Sheriff of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving a summons or other mesne process, except subpoenas for witnesses; repealing conflicting laws:

By Messrs. Kaul et al (with notice and proof):

H. 744. To provide for the relief of the Estate of William Henry

Tennyson out of the General Fund of Jefferson County, Alabama, and to direct Jefferson County, Alabama to pay to the Administratrix of the Estate of William Henry Tennyson the sum of Three Thousand Dollars (\$3,000.00).

By Messrs. Nice et al:

H. 745. To apply to all counties having a population in excess of 500,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the licensing of persons engaged in the business of cleaning septic tanks; imposing license and permit fees; providing for enforcement of the Act and prescribing penalties.

By Messrs. Vacca et al:

H. 746. To fix the fee and allowance of the Constables of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving any summons or other mesne process, except subpoenas for witnesses, where the amount in controversy is Twenty Dollars (\$20) or more; repealing conflicting laws.

By Messrs. Broadfoot and Haltom (with notice and proof):

H. 749. Providing for the submission to the qualified voters of Lauderdale County the question of whether or not an annual license tax and registration fee shall be levied in the amount of \$5.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, owned by any individual who is a resident of Lauderdale County and upon every motor vehicle used or operated in said county and owned by any corporation, firm or association which has an office or place of business in said county, and if approved by said voters, authorizing and providing for the levying of said tax by the governing body of Lauderdale County with the concurrence of the governing body of the City of Florence, for a period not exceeding 10 years; providing for the calling, giving of notice, holding, conducting, canvassing and contesting of elections thereunder and the collection and enforcement of said license tax and registration fee; exempting motor vehicles owned and used by the state and counties and municipalities of the state, prescribing the time and manner for the payment of the license tax and registration fee; authorizing the governing body of Lauderdale County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; prohibiting any motor vehicle from using the public highways of Lauderdale County until the license tax and registration fee shall have been paid; providing that the net proceeds of said tax and fee shall be used solely for the purpose of providing additions to, improvements in and equipment for the Eliza Coffee Memorial Hospital or the payment of principal of or interest on any obligations or indebtedness incurred for such purpose and for the payment of said net proceeds to a public hospital corporation in the event said Hospital shall be acquired by such hospital corporation, and repealing all laws in conflict therewith.

By Messrs. deGraffenried and Callahan (with notice and proof):

H. 763. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Messrs. deGraffenried and Callahan (with notice and proof):

H. 764. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

By Mr. Stokes (with notice and proof):

H. 771. To alter, rearrange and extend the boundaries of the City of Elba in Coffee County.

By Messrs. Reynolds and Roberts:

H. 774. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances, and compensation of the judge of probate and other county officers of Madison County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Burkhalter (with notice and proof):

H. 777. To amend Section 5 of Act No. 163, Local Acts of Alabama 1943, entitled "An Act to establish a law and equity court for Cherokee County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers, and duties and compensations, to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the circuit court and the juvenile court of Cherokee County, Alabama, to the Cherokee Law and Equity Court; and to abolish the County Court of Cherokee County, Alabama; and to give the said court Juvenile Jurisdiction", and amended by Act No. 493, Local Acts of Alabama 1945.

By Mr. Burkhalter (with notice and proof):

H. 778. To repeal Act No. 584, Acts of Alabama 1951, approved August 30, 1951, entitled "An Act relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate."

By Mr. Burkhalter (with notice and proof):

H. 779. Amending Sections 1, 2 and 3 of Local Act No. 162, Local Acts of Alabama 1943, entitled "An Act to fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the County Solicitor of Cherokee County, the Sheriff of Cherokee County; To provide for his Deputies and to provide for Clerical Assistance and other expenses of said Officers or Probate Judge and Sheriff; To require each of said Officers to collect all the fees, compensation and allowances heretofore collected by said Officers and which may hereafter be collected by said Officers and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary of Clerical Assistance and other Office expense by the Treasury of the County", as amended by Act No. 121, Acts of Alabama, 1955.

By Mr. Kendall (with notice and proof):

H. 782. Relating to Conecuh County: To provide further for purging the registration lists of the names of those electors of Conecuh County who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by requiring the re-registration of electors of the county registered on or after January 1, 1903.

By Mr. Branyon (with notice and proof):

H. 786. Relating to Fayette County; authorizing the court of county commissioners, board of revenue, or like governing body of said county to levy additional county privilege license and excise taxes, for general educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations.

By Messrs. Mathison and Solomon (with notice and proof):

H. 787. To amend Section 7 of an act approved July 7, 1947, entitled "An Act To re-enact Act 123, approved June 12, 1935, entitled, 'An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act'" (Act No. 82, H. 340, Local Acts of 1947, p. 58).

By Messrs. Lackey et al:

H. 788. To fix the compensation of surgeons and physicians when duly summoned by the coroner in all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census; providing for the method of payment and designating the funds from which payment shall be made:

By Mr. Dement (with notice and proof):

H. 792. To require the county board of education of Limestone County to donate to the members of the community in which the school is located the buildings and sites associated with any school discontinued by such board, or to donate the building materials contained in any dismantled school building if the county board of education desires to retain possession of the site thereof; and to authorize the use of such buildings as community centers, or the use of such materials for the construction of community centers.

By Mr. Dement (with notice and proof):

H. 793. To designate as "The Buck Island Bridge" the new bridge approved for construction in Limestone County at or near the site of the present bridge of the same name, and to require the governing body of Limestone County to place certain plaques or markers thereon.

By Mr. Dement (with notice and proof):

H. 794. To authorize each member of the court of county commissioners, board of revenue or like governing body of Limestone County to construct, within the district which he represents on such county governing body, a shed for the storage of tools and other equipment belonging to the county, and a dwelling house in which he or some competent person designated by him shall reside in order to take care of the county property stored in such shed; and to authorize the expenditure of county funds for such purposes.

By Mr. Fite (with notice and proof):

H. 796. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Boston in Marion County, Alabama, so as to include within the corporate limits of said municipality the unincorporated community of Brilliant, and change the name of the municipality to "Brilliant, Alabama."

By Messrs. Hall, Goodwyn, Dawkins and Nolen:

H. 822. To amend Act No. 416, H. 917, approved September 9, 1955 (Acts of Alabama, 1955, p. 960), entitled "An Act To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said coun-

ties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act."

By Messrs. McKay and Payne (with notice and proof):

H. 828. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

By Messrs. McKay and Payne (with notice and proof):

H. 829. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

By Messrs. McKay and Payne (with notice and proof):

H. 830. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

By Messrs. McKay and Payne (with notice and proof):

H. 831. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

By Messrs. Callahan and deGraffenried:

H. 837. To authorize and regulate the micro-filming, photostating or other photographic reproduction of books, records, papers and documents required to be maintained and kept by municipal clerks, municipal recorders, municipal police departments and other agencies or other instrumentalities of all municipalities in counties in this State having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand according to the last or any subsequent federal decennial census, the destruction or other disposition of the originals of such books, records, papers and documents, and the substitution of such reproductions for the originals thereof; prescribing the force and effect such reproductions shall have and providing for the certification of copies thereof.

Mr. Hall, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Vann and Skidmore:

S. 179. Requiring the boards of registrars to record the names of, and certain other information relative to registered voters who are transferred from one election district to another; requiring a copy of such record to be filed with the judge of probate; and requiring voter transfer books to be furnished the boards of registrars at the expense of the State.

By Messrs. Skidmore and Vann:

S. 180. Requiring the court of county commissioners, board of revenue or like governing body of each county, or the authority in each county charged with the establishment of election districts, to furnish the board of registrars with the descriptions of the boundaries of election districts within the county, with a map of the county showing such districts, and with the revised boundaries of election districts whenever changes or alterations are made therein.

By Messrs. Vann and Skidmore:

S. 181. To provide that persons whose names are stricken from the lists of registered voters on account of error on the part of any board of registrars may have their names reinstated upon such list, upon completion of a form and approval by the board of registrars.

By Mr. Vann:

S. 196. Further regulating the meetings of the boards of registrars in counties having a population of 130,000 or less.

By Messrs. Nolen et al:

H. 283. To authorize the boards of registrars to strike the names of registered voters from the registration lists at any time the board is in session, provided that certain conditions prescribed in the Act have been met.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am transmitting to you a message from the Governor, returning Senate Bill 78, without his approval.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

AUGUST 2, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which this bill originated, Senate Bill No. 78, without my approval.

This bill is being returned at the request of the author of the bill, without my approval.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Moses, the Senate sustained the Governor's veto to the bill:

S. 78. To regulate further the office of circuit solicitor of the Ninth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in law enforcement and in the conduct of his office.

Which said Governor's Veto is set out in the foregoing Message from His Excellency, The Governor.

Yeas 28; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell
Bradford
Cantrell
Davis (Lowndes)
Davis (Pickens)
Dyar

Engelhardt
Flowers
Goodwin
Grisham
Hall
Lamberth
Leonard

Metcalf
Moses
Newton
Reeves
Roberts
Robison
Shelton

Skidmore
Smith
Tate
Van Antwerp
Vann
Yarbrough (Aulaga)
Yarbrough (Randolph)

—28

Nays:

—0

RESOLUTIONS

Messrs. Eddins, Skidmore, Allen, Lamberth, Flowers, Vann, Boutwell, Roberts, Little, Davis (Pickens), Bradford, Dyar, Hall, Engelhardt, Shelton, Goodwin, Yarbrough (Autauga), Yarbrough (Randolph), Van Antwerp, Cantrell, Leonard, Tate, Grisham, Robison, Givhan, Calvin, Jones, James, Moses, Smith, Metcalf, Newton, Davis (Lowndes), and Reeves offered the following Senate Joint Resolution, to-wit:

S. J. R. 66. BE IT RESOLVED BY THE LEGISLATIVE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the members of the Legislature have learned with deepest regret of the death, on August 1, 1957, of J. Dudley Handley, Sr., the father-in-law of Senator Roland Cooper, and hereby extend their sincere sympathy to Senator and Mrs. Cooper and their family for their great loss.

On motion of Mr. Davis (Lowndes), the Rules were suspended and the Resolution adopted by the Senate.

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 67. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 6, 1957, at 12 o'clock Noon.

On motion of Mr. Lamberth, the Rules were suspended and the resolution adopted by the Senate.

INTRODUCTION OF BILLS

Upon a call of district bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Vann:

S. 411. Authorizing counties having a population of not less than 65,000 nor more than 75,000, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards.

Committee on Local Legislation.

By Messrs. Givhan, Vann, Cooper, Smith and Calvin:

S. 412. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars (\$4,500,000) in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at The Alabama Polytechnic Institute at Auburn.

Committee on Constitution and
Constitutional Revision and Amendments.

The above bill was read a first time at length as required by the Constitution.

By Mr. Shelton:

S. 413. Relating to counties having a population of not less than 75,000 nor more than 90,000, according to the last or any subsequent fed-

eral decennial census; further regulating the alteration and extension of the corporate limits and boundaries of incorporated municipalities in such counties.

Committee on Local Legislation.

By Mr. Shelton:

S. 414. Relating to counties having a population of not less than 75,000 nor more than 90,000, according to the last or any subsequent federal decennial census; providing that the territory annexed to any city or town in such counties shall be subject immediately to all its laws and ordinances, and that its governing body shall have the same jurisdiction over such territory, including the authority to levy and collect taxes therein, as is exercised over all other territory within the corporate limits of the city or town.

Committee on Local Legislation.

By Mr. Goodwin:

S. 415. To amend further Section 104 of Title 51, Code of Alabama (1940), which relates to meetings of boards of equalization.

Committee on Finance and Taxation.

By Mr. Goodwin:

S. 416. To amend Section 33 of Title 34, Code of Alabama 1940, which regulates the allowance of alimony to the wife when the decree of divorce is against the wife, in order to forbid such allowance when the ground for divorce is voluntary abandonment by the wife and authorize the cessation of payment of such allowance which has previously been made.

Committee on Judiciary.

By Messrs. Lamberth, Flowers, Allen, Roberts and Metcalf:

S. 417. To amend Section 4 of Act No. 234, S. 25, approved July 16, 1951, (Acts of Alabama, 1951, p. 504), entitled "An Act relating to state government administration: Creating a Department of Insurance; defining its powers and duties; transferring to it the function of regulating insurance, the insurance business, insurance companies, and insurance agents; transferring to it the Bureau of Insurance and the Bureau of Rates of the Department of Commerce, and the Office of Fire Marshal, and the personnel, funds, equipment and supplies of such Bureaus and Office; creating the office of Superintendent of Insurance; fixing his salary, qualifications and duties; abolishing the office of Superintendent of Insurance as presently constituted; and repealing all laws in conflict therewith."

Committee on Insurance.

By Mr. Lamberth:

S. 418. Relating to highways: to require the removal of poles, wires, pipe lines, cables or other devices erected, installed, or maintained on the rights of ways of highways within the state highway system, or the payment of an annual rental by public utilities for such use.

Committee on Public Roads and Highways.

By Mr. Lamberth:

S. 419. To regulate further the office of circuit solicitor of the Fifth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in Law Enforcement and in the conduct of his office.

Committee on Local Legislation.

By Mr. Lamberth:

S. 420. To make an appropriation for the relief of Calvin McNelley.

Committee on Finance and Taxation.

By Mr. Lamberth:

S. 421. To repeal Act No. 600 approved August 6, 1907 relating to the celebration of the Battle of Horseshoe Bend in 1814; and to provide for the disposition of any property conveyed to such commission during its existence.

Committee on Judiciary.

By Mr. Roberts:

S. 422. To regulate further the compensation and allowances of certain officers of counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Committee on Local Legislation.

By Mr. Robison:

S. 423. To authorize the court of county commissioners, board of revenue or like governing body of each county having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to pay pensions to certain former employees of the county.

Committee on Local Legislation.

By Messrs. Robison and Engelhardt:

S. 424. To provide for the maintenance of certain historical sites with convict labor.

Committee on Judiciary.

By Mr. Newton:

S. 425. To provide revenue and a source of revenue for the purpose of paying annuities and benefits to the Law Enforcement Officers of the State of Alabama, to provide for a commission to receive and disburse such funds, to provide for a method of payment of such fund to beneficiaries thereof, and for other purposes.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. 426. To authorize and make provision for the incorporation in any City of the State of Alabama having a population of 300,000 or more according to the last or any subsequent federal census of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that any City for which an authority has been organized under this act may aid and cooperate in the planning, undertaking construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey, or transfer money,

real property, personal property, mixed property or any right capable of transfer to such authority; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom, the property of said authority, and the business and activities conducted or engaged in by said authority; to authorize the investment of municipal funds in bonds of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge, and indenture and the proceedings authorizing the same; to provide that the provisions of this act shall be cumulative; to provide for audits of the books and accounts of the authority and to provide that the provisions of this act shall be severable; to protect certain civil service and pension rights of employees of municipal airports taken over by such authority; to provide for competitive bidding on construction contracts in excess of ten thousand dollars; to provide for a date upon which this act shall become effective.

Committee on Local Legislation.

By Messrs. Van Antwerp and Metcalf:

S. 427. To amend further Section 12 of Act No. 1, H. 46, approved May 22, 1945, which Act provided for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama (General Acts, 1945, page 1).

Committee on Forestry and Conservation.

By Messrs. Skidmore, Van Antwerp, Leonard, Flowers, Roberts, Yarbrough (Autauga), Shelton, Boutwell, Allen, Smith, Grisham, Givhan, Cantrell and Davis (Lowndes):

S. 428. To regulate the teaching and practice of cosmetology, requiring the registration and licensing of cosmetologist and cosmetologists' apprentices, and schools of cosmetology, creating for the administration of this Act a State Board of Cosmetology, and defining violation of this Act and prescribing penalties therefor.

Committee on Public Health.

By Messrs. Skidmore, Van Antwerp, Flowers, Metcalf, Cantrell, Grisham, Lamberth, Roberts, Leonard, Allen, Robison, Newton, Smith, Moses, Dyar, Little, Goodwin and James:

S. 429. To provide appropriations of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United

States of America pursuant to section 903 of the Social Security Act, as amended, for the payment of expenses incurred by said Department for the administration of the State Unemployment Compensation Law and public employment offices during the Federal fiscal years July 1, 1957 through June 30, 1958, and July 1, 1958 through June 30, 1959.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 430. To amend further Section 253, Title 45, Code of Alabama (1940), so as to provide that the longest term of imprisonment to which a prisoner is sentenced, when sentences are imposed to run concurrently, shall be considered as the prisoner's term of imprisonment for the purpose of computing good conduct deductions.

Committee on Judiciary.

By Mr. Skidmore:

S. 431. To amend further Section 32, Title 45, Code of Alabama (1940) so as to authorize the imposition of concurrent sentences .

Committee on Judiciary.

By Messrs. Skidmore, Smith and Roberts:

S. 432. To make additional annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1958 and September 30, 1959, including schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama.

Committee on Finance and Taxation.

By Mr. Robison (by request):

S. 433. To amend further Section 17 of Title 36, Code of Alabama (1940), which relates to the giving of signals on starting, stopping, turning, and backing motor vehicles.

Committee on Judiciary.

By Mr. Robison (by request):

S. 434. To amend further Section 41 of Title 36, Code of Alabama (1940), which relates to additional lights or lighting equipment permissible on motor vehicles.

Committee on Judiciary.

By Mr. Robison (by request):

S. 435. To amend further Section 89 of Title 36, Code of Alabama (1940), which limits the size and weight of motor vehicles and loads.

Committee on Judiciary.

By Mr. Robison (by request):

S. 436. To amend further Section 26 of Title 36, Code of Alabama (1940), which relates to the stopping, standing, or parking of motor vehicles in certain places.

Committee on Judiciary.

By Mr. Robison (by request):

S. 437. To amend Section 3 of Act No. 427, H. 316, approved July 9, 1945 (General Acts of Alabama, 1945, p. 670), entitled "An Act To provide that the driver of any vehicle involved in an accident resulting in

injury or death to any person or damage to property shall immediately stop such vehicle at the scene of such accident; To define the duties of such driver; To fix the punishment for anyone violating this Act or any provision thereof and for the revocation of his driver's license; To repeal all laws and parts of laws in conflict herewith; And to provide for the effective date of this Act," by providing further for the revocation of the driver's license of any person convicted of violating any provision of the Act.

Committee on Judiciary.

By Mr. Robison (by request):

S. 438. To amend Section 1 of Act No. 22, H. 1, approved May 26, 1953 (Acts of Alabama, 1953, p. 25), entitled "An Act To Provide for the speed of motor vehicles on the highways of this State; to make it a misdemeanor to violate the provisions hereof, and to provide for the punishment thereof," by regulating the speed of any motor vehicle towing a house trailer.

Committee on Judiciary.

By Mr. Robison (by request):

S. 439. To amend Section 37 of Title 36, Code of Alabama (1940), which prohibits the operation of certain motor vehicles on the highways unless equipped with a mirror so located as to reflect to the driver a view of the highway to the rear of the vehicle, by requiring every motor vehicle operated on the highways to be equipped with such a mirror.

Committee on Judiciary.

By Mr. Robison (by request):

S. 440. To amend Sections 42 and 45 of Act No. 516, H. 769, approved August 30, 1949 (Acts of Alabama, 1949, p. 740), entitled "An Act To regulate further the use of the highways of the State by pedestrians and vehicles; prescribing equipment of certain vehicles and further prescribing rules and regulations governing traffic and the operation of vehicles on the highways; providing the method of enforcing this Act; and prescribing penalties for violations hereof."

Committee on Judiciary.

By Mr. Flowers:

S. 441. To provide legal counsel for the Superintendent of Insurance and the Department of Insurance; to create the office of legal counsel for the Department of Insurance; to provide for the appointment, duties and powers of such counsel; to provide for the compensation of such counsel; to provide an effective date for this Act.

Committee on Finance and Taxation.

By Mr. Van Antwerp:

S. 442. To amend Section 3 of the act approved September 2, 1949, which created a plumbers examining board in all counties having a population of not less than 140,000, according to the last or any subsequent federal decennial census (Act No. 529, H. 977, 1949 Acts 827).

Committee on Local Legislation.

By Mr. Smith:

S. 443. To amend further Section 31, Title 13, Code of Alabama 1940, as amended, which relates to supernumerary judges.

Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 555. To extend, alter and re-arrange the boundary lines and corporate limits of the town of Flomaton, in Escambia County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 65. Relative to extending sincere sympathy to the family of Mrs. Emma Parker, the mother-in-law of Representative Ralph Windle.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 66. Relative to extending sympathy to the family of J. Dudley Handley, Sr., the father-in-law of Senator Roland Cooper.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 145. Relating to the compensation of circuit judges in Alabama.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 144. To amend Section 103 of Title 13 of the Code of 1940 as amended.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 143. To amend Section 29 of Title 13 of the Code of 1940 as amended.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Perry:

H. J. R. 77. WHEREAS, the General Assembly and other governmental officers and agencies did at divers times between the years 1835 and 1845 institute investigations into the affairs of the Bank of the State of Alabama; and

WHEREAS, it was not thought proper to make public at that time the contents of certain reports, testimony, and other papers connected therewith; and

WHEREAS, all reason for retaining the contents of these papers as confidential passed away a century and more ago; and

WHEREAS, it is, or may be, of great value to historians and students of Alabama history to have access to these papers, to the end that the history and traditions of Alabama may be better studied, and present and future generations of Alabamians more fully informed of the history of the State;

NOW THEREFORE, be it resolved by the House of Representatives, the Senate concurring:

That the Secretary of State and all other officers or agencies of the State in whose offices or custody any papers or documents connected with the Bank of the State of Alabama have been deposited under seal or otherwise closed to public scrutiny are hereby directed to transmit the same forthwith to the Director of the Department of Archives and History; and the said Director is hereby directed to open the same, and deposit them in the said Department for the use of historians, scholars, and other interested persons.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Boutwell, the Rules were suspended, and the Senate concurred in and adopted the resolution, H. J. R. 77, which said resolution is set out in the foregoing Message from the House.

BILLS ON THIRD READING

The Bill:

S. 166. To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the "Professional Foresters Fund", and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation.

Was taken up.

The Standing Committee on Forestry and Conservation reported the following amendment to the bill, to-wit:

COMMITTEE AMENDMENT TO SENATE BILL 166

Amend Section 1 of Senate Bill 166 by striking the words "his own" in line 7 of said Section.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Roberts
Allen	Flowers	Leonard	Robison
Boutwell	Goodwin	Little	Skidmore
Bradford	Grisham	Metcalf	Vann
Calvin	Hall	Moses	Yarbrough (Autauga)
Cantrell	James	Newton	Yarbrough (Randolph)
Davis (Lowndes)	Jones	Reeves	—26

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Reeves
Allen	Dyar	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Tate
Calvin	Goodwin	Metcalf	Yarbrough (Autauga)
Cantrell	Grisham	Moses	Yarbrough (Randolph)
Davis (Lowndes)	Hall	Newton	—26

Nays: —0

The Bill:

S. 303. To provide the sum of \$50,000 in addition to all other sums heretofore provided, for the payment of awards by the Board of Adjustment made during the fiscal year ending September 30, 1957.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Little	Skidmore
Boutwell	Goodwin	Metcalf	Smith
Bradford	Grisham	Moses	Tate
Cantrell	Hall	Newton	Van Antwerp
Davis (Pickens)	Jones	Reeves	Yarbrough (Autauga)
Dyar	Lamberth	Robison	Yarbrough (Randolph)
Eddins			—28

Nays:

—0

The Bill:

S. 172. To amend Sections 5, 12, 14, 15 and 21 of an Act entitled "An Act to establish in all cities in the State of Alabama, which now have a population of as many as 35,000 and less than 75,000 according to the last Federal Census, or which shall have such population according to any such census that may hereafter be taken, a Policemen and Firemen's Retirement Fund, and to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and a Secretary-Treasurer thereof for such Fund and to provide for their duties, powers, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for hereunder and payment of benefits to widows, orphans, and widowed mothers of such members; to prescribe duties of the city attorney; to provide for payment of expenses by said Board of Trustees; and to provide for appeals from rulings of the Board of Trustees." approved July 9, 1943, as amended by an Act entitled "An Act to amend Sections 5, 12, 15, 17 and 18 of an Act of the Legislature entitled 'An act to establish in all cities in the State of Alabama, which now have a population of as many as 35,000 and less than 75,000, according to the last Federal Census, or which shall have such population according to any such census that may hereafter be taken, a Policemen and Firemen's Retirement Fund, and to provide for such fund, its sources, management, and administration; to provide for a Board of Trustees and a Secretary-Treasurer thereof for such Fund and to provide for their duties, powers, and authority; to provide for the retirement and for reinstatement of active or retired members of such departments and payment of benefits provided for hereunder and payment of benefits to widows, orphans, and widowed mothers of such members; to prescribe duties of the city attorney; to provide for payment of expenses by said Board of Trustees; and to provide for payment of expenses by said Board of Trustees; and to provide for appeals from rulings of the Board of Trustees', approved July 9, 1943, Act No. 379, General Acts, 1943, p. 349," approved June 28, 1945.

Was taken up.

The Standing Committee on Municipalities and Municipal Organizations reported the following amendment to the bill, to-wit:

AMENDMENT TO SENATE BILL NO. 172

Amend Section 3 of Senate Bill No. 172 so that the same shall read as follows:

Section 3. Section 14 of said Act as amended is amended to read as follows: Section 14: That if any member of such police or fire department becomes or be found to be physically or mentally permanently disabled for service in such police or fire department so as to render his retirement from such service necessary, said board of trustees shall retire such disabled member from service in such department and upon such retire-

ment, said board of trustees shall order the payment of such disabled member, monthly, from such fund, the amount hereinafter provided for his particular position, office, salary, or class of work.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Tate
Allen	Goodwin	Newton	Van Antwerp
Boutwell	Grisham	Roberts	Vann
Bradford	Jones	Skidmore	Yarbrough (Autauga)
Calvin	Leonard	Smith	Yarbrough (Randolph)
Cantrell	Little		—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Tate
Allen	Goodwin	Newton	Van Antwerp
Boutwell	Grisham	Roberts	Vann
Bradford	Jones	Skidmore	Yarbrough (Autauga)
Calvin	Leonard	Smith	Yarbrough (Randolph)
Cantrell	Little		—21

Nays: —0

The Bill:

S. 387. To regulate further the purchasing practices of counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Robison
Allen	Engelhardt	Moses	Van Antwerp
Boutwell	Flowers	Newton	Vann
Bradford	Givhan	Reeves	Yarbrough (Autauga)
Calvin	Goodwin	Roberts	Yarbrough (Randolph)
Cantrell	Little		—21

Nays: —0

The Bill:

S. 393. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Bradford	James	Robison	Van Antwerp
Calvin	Jones	Shelton	Vann
Davis (Lowndes)	Moses	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Newton	Smith	Yarbrough (Randolph)
Dyar	Reeves		—21

Nays:

—0

The Bill:

S. 384. To fix the fee and allowance of the Sheriff of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving a summons or other mesne process, except subpoenas for witnesses; repealing conflicting laws:

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Metcalf	Robison
Allen	Goodwin	Moses	Skidmore
Boutwell	Grisham	Newton	Smith
Bradford	Hall	Reeves	Tate
Calvin	James	Roberts	Van Antwerp
Flowers	Jones		—21

Nays:

—0

The Bill:

S. 385. To fix the fee and allowance of the Constables of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving any summons or other mesne process, except subpoenas for witnesses, where the amount in controversy is Twenty Dollars (\$20) or more; repealing conflicting laws:

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Shelton
Allen	Davis (Pickens)	Little	Skidmore
Boutwell	Dyar	Reeves	Smith
Bradford	Eddins	Roberts	Yarbrough (Autauga)
Calvin	Engelhardt	Robison	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays:

—0

The Bill:

S. 377. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Tate
Davis (Lowndes)	Givhan	Robison	Van Antwerp
Davis (Pickens)	Goodwin	Shelton	Vann
Dyar	Grisham	Skidmore	Yarbrough (Autauga)
Eddins	Lamberth	Smith	Yarbrough (Randolph)
Engelhardt	Leonard		—21

Nays:

—0

The Bill:

S. 379. Relating to Lowndes County: To authorize and empower the county board of education of Lowndes County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Shelton
Allen	Grisham	Little	Skidmore
Boutwell	Hall	Metcalf	Vann
Bradford	James	Roberts	Yarbrough (Autauga)
Calvin	Jones	Robison	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth		—21

Nays:

—0

The Bill:

H. 667. To amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Tate
Allen	Eddins	Metcalf	Van Antwerp
Boutwell	Engelhardt	Roberts	Vann
Bradford	Grisham	Robison	Yarbrough (Autauga)
Calvin	Hall	Smith	Yarbrough (Randolph)
Cantrell	James		—21

Nays:

—0

The Bill:

S. 354. Authorizing the court of county commissioners, board of revenue or like governing body of each county having a population of

not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to make an annual grant toward the support of any museum of fine arts which may be in existence in the county.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Little	Smith
Boutwell	Flowers	Newton	Tate
Bradford	Givhan	Reeves	Yarbrough (Autauga)
Calvin	Hall	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		—21

Nays:

—0

The Bill:

H. 666. To fix the supplemental salary of the Deputy Circuit Solicitors of the Fifteenth Judicial Circuit of Alabama to provide that said supplemental salaries shall be paid out of the general fund of Montgomery County, Alabama, and to provide when said act shall go into effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Newton	Skidmore
Allen	Givhan	Reeves	Van Antwerp
Boutwell	Goodwin	Roberts	Vann
Bradford	Grisham	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Metcalf	Shelton	Yarbrough (Randolph)
Davis (Pickens)	Moses		—21

Nays:

—0

The Bill:

S. 372. To alter, re-arrange and extend the boundary lines and corporate limits of the Town of Fyffe, in DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Little	Smith
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Moses	Vann
Cantrell	Hall	Newton	Yarbrough (Autauga)
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		—21

Nays:

—0

The Bill:

H. 668. Further regulating the terms of service and compensation of the members of boards of equalization in counties having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Moses	Skidmore
Allen	Davis (Pickens)	Newton	Smith
Boutwell	Dyar	Reeves	Tate
Bradford	Eddins	Robison	Van Antwerp
Calvin	Engelhardt	Shelton	Vann
Cantrell	Goodwin		

—21

Nays:

—0

The Bill:

S. 173. To repeal an Act of the Legislature entitled "An Act relating to Cities having a population of as many as 35,000 and less than 75,000 inhabitants; amending further the Act approved July 9, 1953, which created and established a retirement system for Policemen and Firemen of such cities (Act No. 379 H. 786, General Acts 1943, page 349," approved August 22, 1951 (1951 Acts page 909)).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Newton	Tate
Allen	Grisham	Reeves	Van Antwerp
Boutwell	Hall	Roberts	Vann
Bradford	James	Robison	Yarbrough (Autauga)
Calvin	Jones	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		

—21

Nays:

—0

The Bill:

H. 737. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; providing for the division of such counties into districts; providing for the election of one member of the governing body of each such county from each of such districts; prescribing the powers and duties of the governing bodies of such counties, and the qualifications, terms of office, compensation, and manner of election of the members thereof; and excepting the judge of probate or other chairman of the governing body of each such county from the operation of the Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bradford	Eddins	James
Allen	Calvin	Engelhardt	Jones
Boutwell	Cantrell	Hall	Lamberth

Leonard	Moses	Roberts	Smith	
Little	Newton	Robison	Tate	
Metcalf	Reeves			—21

Nays: —0

The Bill:

S. 361. To amend the act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the circuit court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	James	Roberts	
Allen	Flowers	Jones	Robison	
Davis (Lowndes)	Givhan	Lamberth	Shelton	
Davis (Pickens)	Goodwin	Newton	Van Antwerp	
Dyar	Grisham	Reeves	Yarbrough (Randolph)	
Eddins	Hall			—21

Nays: —0

The Bill:

S. 378. To alter, rearrange, extend and fix the boundaries and limits of the City of Andalusia, in the State of Alabama.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

LOCAL LEGISLATION COMMITTEE AMENDMENT TO S. B. 378

Amend the bill S. B. 378, as follows:

Strike out the words and figures "northeast quarter (NE¼) and northwest quarter (NW¼) of Section thirty-six (36)" which appear in lines 10 and 11 of the description of the territory to be annexed to the City of Andalusia.

Also strike out the first two lines appearing on page 2 of the bill, which read: "Northeast quarter (NE¼) and northwest quarter (NW¼) of Section thirty-one (31); and all of Section thirty-two (32);"

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Little	
Allen	Davis (Pickens)	Goodwin	Metcalf	
Boutwell	Dyar	Jones	Moses	
Bradford	Eddins	Lamberth	Shelton	
Calvin	Engelhardt	Leonard	Skidmore	
Cantrell	Flowers			—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Little	
Allen	Davis (Pickens)	Goodwin	Metcalf	
Boutwell	Dyar	Jones	Moses	
Bradford	Eddins	Lamberth	Shelton	
Calvin	Engelhardt	Leonard	Skidmore	
Cantrell	Flowers			—21

Nays: —0

The Bill:

H. 572. Relating to Etowah County; to require employers of more than one hundred persons on an hourly wage basis to pay his employees their wages not later than on Friday of each week; prescribing penalties.

Was taken up.

Mr. Roberts offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 572

Delete Section 1 of the bill and insert in lieu thereof the following:

Section 1. Whoever employs in Etowah County more than 100 persons who are compensated on an hourly rate wage basis, as distinguished from employees compensated on a weekly, semi-monthly or monthly wage rate basis, shall pay to each such hourly rated employee on or before Friday of each week the wages earned by him to a day not more than six days prior to date of such payment if a majority of such employees so demand, unless a pay period for such employees is otherwise established by law."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Givhan	Lamberth	Shelton
Boutwell	Goodwin	Leonard	Vann
Bradford	Grisham	Reeves	Yarbrough (Autauga)
Calvin	Hall	Roberts	Yarbrough (Randolph)
Cantrell	James		

—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Givhan	Lamberth	Shelton
Boutwell	Goodwin	Leonard	Vann
Bradford	Grisham	Reeves	Yarbrough (Antauga)
Calvin	Hall	Roberts	Yarbrough (Randolph)
Cantrell	James		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 143. To amend Section 29 of Title 13 of the Code of Alabama 1940 as amended

Also:

H. 144. To amend Section 103 of Title 13 of the Code of 1940 as amended.

Also:

H. 145. Relating to the compensation of circuit judges in Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the title of which are set out in the foregoing message from the House.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Roberts, further consideration of the bills, S. B. 358, S. B. 355, and S. B. 359, was indefinitely postponed by the Senate.

On motion of Mr. Tate, further consideration of the bill, S. B. 371, was indefinitely postponed by the Senate.

RECESS

At 1:25 p.m., on motion of Mr. Reeves, the Senate took a recess until 2:30 o'clock this afternoon.

AFTERNOON SESSION

TWENTY-FIFTH LEGISLATIVE DAY

FRIDAY, AUGUST 2, 1957

The Senate reassembled at 2:30 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—34

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Huddleston:

H. 683. Relating to the Thirty-first Judicial Circuit; providing for separation of the jury in the circuit courts of the counties composing such circuit (Colbert and Franklin) by consent.

Also:

By Messrs. Gilchrist and Brewer:

H. 823. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

As required by Article 4, Section 106, of the Constitution of Alabama of 1901, notice is hereby given of the intention to apply to the present regular session of the Legislature of Alabama for the enactment of a local law substantially as follows:

A BILL
TO BE ENTITLED
AN ACT

To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Decatur, in Morgan County, Alabama, be and the same ore hereby extended so as to include, in addition to the territory now embraced therein, the following described property. to-wit:

Beginning at a point on the present City Limit Line of the City of Decatur on the Easterly side of U. S. Highway 31 at the intersection with the North line of Section 32, in Township 5 South of Range 4, West; thence West along the South line of said Section 32 to the Westerly line of said U. S. Highway 31; thence Southerly and South along the Westerly right of way line of said U. S. Highway 31 to a point due West of the point of intersection of the East right of way line of U. S. Highway 31 with the Southerly right of way line of Alabama State Highway No. 67; thence East to said point of intersection of the East right of way

line of U. S. Highway 31 with the South right of way line of Alabama State Highway No. 67; thence Easterly along the South right of way line of Alabama State Highway No. 67 to the present City Limit Line of the City of Decatur on the East line of Section 5 of Township 6 South of Range 4 West; thence North along the present City Limit Line to the Northerly right of way line of Alabama Highway No. 67; thence following the City Limit Line of the City of Decatur Westerly along Alabama State Highway No. 67, and Northerly along U. S. Highway 31 to the point of beginning.

Section 2. This Act shall be effective immediately upon its passage and approval by the Governor.

Dated this 18th day of June, 1957.

Joe Calvin
2nd Senatorial District
State Senator

Bob Gilchrist
Representative
Morgan County

Albert P. Brewer
Representative
Morgan County

June 18-25—July 2-9.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached Notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18, June 25, July 2 and July 9, all in the year 1957.

B. C. SHELTON.

Sworn to and subscribed before me July 9, 1957.

R. H. JERVIS,
Notary Public.

Also:

By Messrs. Brewer and Gilchrist:

H. 824. To amend further Act No. 415, H. 665, approved September 24, 1919, entitled "An Act To establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 415, H. 665, approved September 24, 1919 entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court."

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 415, H. 665, approved September 24, 1919, entitled "An Act to establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court." (Local Acts of Alabama, 1919, page 194), as amended by Act No. 66, H. 261, approved July 7, 1947, (Local Acts of Alabama, 1947, page 46), is hereby amended to read as follows:

"An Act To establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in certain other courts of Morgan County to the Morgan County Court."

Section 2. Section 2 of said Act No. 415, H. 665, approved September 24, 1919, (Local Acts of Alabama, 1919, page 194) as amended by Act No. 66, H. 261, approved July 7, 1947 (Local Acts 1947, page 46) is hereby amended to read as follows:

"Section 2. Said court shall have original jurisdiction co-extensive with Morgan County of all civil causes both at law and in equity, and the said court and the judge thereof shall have the power and authority to administer oaths, to issue search warrants and writs of habeas corpus, prohibition, certiorari, quo warranto, mandamus, and other special and extraordinary writs, and to remove the disabilities of non age of minors and to issue injunctions to abate liquor nuisances; and shall have jurisdiction in proceedings to condemn property used in violation of laws relating to intoxicating beverages; and the judge of said court shall have the same power as circuit judges with reference to ordering the institution of quo warranto proceedings; and the said court in civil matters shall have jurisdiction concurrent with the circuit court. The said court shall have exclusive jurisdiction of all causes against persons charged with the commission of misdemeanors, except

that this act shall not restrict the criminal jurisdiction of justices of the peace, and shall have exclusive jurisdiction of all criminal cases appealed from the court of any mayor, recorder, justice of the peace, or notary public as ex officio justice of the peace, and of bastardy proceedings provided for by Title 6 of the Code of Alabama of 1940, and on all indictments returned against parties charged with misdemeanor the clerk of said court shall issue capias returnable to said Morgan County Court. The Morgan County Court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court, and of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940); and the jurisdiction of the probate judge and the probate court of Morgan County in such matters is hereby withdrawn. All cases and causes pending in the juvenile court of Morgan County and all cases of desertion and non-support pending in the probate court of such county, together with the records pertaining to such pending cases, shall be transferred to the Morgan County Court on the effective date of this act, and thereupon the Morgan County Court shall immediately after this act becomes effective assume complete jurisdiction over all such pending cases, and shall have the same power and control over these cases as if they had been originally filed in the Morgan County Court. The said Morgan County Court shall also have exclusive jurisdiction of all civil causes appealed from any justice of the peace court or the court of any notary public ex officio justice of the peace. Appeals from the Probate Court of Morgan County, Alabama, may be taken to the Morgan County Court or to the Circuit Court of Morgan County, as the party taking said appeal may elect."

Section 3. Section 3 of said Act No. 415, H. 665, approved September 24, 1919, as amended by Act No. 66, H. 261, approved July 7, 1947, is hereby amended to read:

"Section 3. All laws and rules of practice with reference to process, pleading and practice, and the drawing of juries in the several proceedings in the circuit court shall be applicable to the Morgan County Court, and all statutes and rules of practice pertaining to county courts and to the circuit court shall be applicable to criminal causes pending in said court. Statutes and rules of practice pertaining to the juvenile court shall be applicable to juvenile cases pending in said court, and statutes and rules of practice pertaining to the probate court shall be applicable to cases of desertion and non-support pending in said court."

Section 4. Section 10 of said Act No. 415, H. 665, approved September 24, 1919, as amended by Act No. 66, H. 261, approved July 7, 1947, is amended to read as follows:

"Section 10. The judge of said court shall receive a salary of six thousand six hundred dollars (\$6,600) per annum payable in equal monthly installments at the end of each month, out of the county treasury."

Section 5. Section 11 of said Act No. 415, H. 665, approved September 24, 1919, as amended by Act No. 66, H. 261, approved July 7, 1947, is amended to read as follows:

"Section 11. There shall be a solicitor of the Morgan County Court who shall receive a salary of three thousand nine hundred dollars (\$3,900) per annum, payable in equal monthly installments out of the county treasury at the end of each month, and all solicitor's fees taxed and collected in said court shall be paid into the county treasury of Morgan County for the benefit of the general fund of said county. A solicitor for said court shall be elected at the general election to be held in 1950 and each four years thereafter, and the term of the solicitor shall be for four years, commencing on the second Tuesday after the

first Monday in January following his election, and until his successor is elected and qualified. It shall be the duty of the solicitor of said court to prosecute all criminal causes pending in said court and to attend upon the sessions of the grand juries of Morgan County, Alabama, and to assist the circuit solicitor in drawing of indictments and in the prosecution of criminal causes pending in the Circuit Court of Morgan County. Vacancies in the office of solicitor of said court shall be filled by the Governor, and such appointee shall hold office for the unexpired term."

Section 6. Following its passage and approval by the Governor or upon its otherwise becoming a law, this act shall become effective on the second Tuesday after the first Monday in January of 1959.

Joe Calvin, State Senator
2nd Senatorial District

Bob Gilchrist, Representative,
Morgan County

Albert P. Brewer, Representa-
tive, Morgan County

June 4-11-18-25.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1957.

B. C. SHELTON.

Sworn to and subscribed before me July 9, 1957.

R. H. JERVIS,
Notary Public.

My Commission expires Oct. 21, 1957.

Also:

By Mr. Brewer:

H. 826. To amend Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956.

Also:

By Mr. Speaks:

H. 843. To regulate further the compensation of the Superintendent of Education of Chilton County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation of the Superintendent of Education of Chilton County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Superintendent of Education of Chilton County shall receive a salary of not less than four thousand eight hundred dollars (\$4,800.00) nor more than six thousand five hundred dollars (\$6,500.00) per annum, the exact amount to be fixed by the board of education of the county. His salary shall be paid in equal monthly installments from the county school funds.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4-20-4ch

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union-Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1957.

T. E. WYATT.

Sworn to and subscribed before me July 23, 1957.

INEZ PATTERSON,
Notary Public.

Also:

By Mr. Speaks:

H. 844. To alter, re-arrange and extend the boundaries of the City of Clanton.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHILTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries of the City of Clanton.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the City of Clanton in Chilton County are hereby altered, re-arranged and extended so as to include within the corporate limits of said municipality the following described lands lying and being in Chilton County, Alabama, to wit:

The Southeast Quarter of the Southeast Quarter; Section 1, Township 21, Range 14; also the Northeast Quarter of the Southeast Quarter; Section 1, Township 21, Range 14; also the Northeast Quarter of the Southeast Quarter; Section 34, Township 22, Range 14; also, the Northwest Quarter of the Southeast Quarter; Section 34, Township 22, Range 14; also the Northeast Quarter of the Southwest Quarter, Section 26, Township 22, Range 14; also the Northwest Quarter of the Southeast Quarter, Section 26, Township 22, Range 14; also the Southwest Quarter of the Southwest Quarter; Section 25, Township 22, Range 14; also the Southeast Quarter of the Southwest Quarter; Section 25, Township 22, Range 14; also the Southwest Quarter of the Northeast Quarter; Section 25, Township 22, Range 14; also the Northwest Quarter of the Northeast Quarter; Section 25, Township 22, Range 14; also the Northeast Quarter of the Northeast Quarter; Section 25, Township 22, Range 14; also the Northwest Quarter of the Southeast Quarter; Section 25, Township 22, Range 14; also the Northeast Quarter of the Southeast Quarter; Section 25, Township 22, Range 14; also the Southwest Quarter of the Southeast Quarter; Section 25, Township 22, Range 14; also the Southeast Quarter of the Southeast Quarter, Section 25, Township 22, Range 14; also the North Half of the Northeast Quarter of the Northeast Quarter; Section 36, Township 22, Range 14; also the West Half of the Northwest Quarter of the Southwest Quarter; Section 30, Township 22, Range 15; also the Southeast Quarter of the Northeast Quarter; Section 25, Township 22, Range 14; also the Northeast Quarter of the Northwest Quarter; Section 3, Township 21, Range 14; also the Southwest Quarter of the Northeast Quarter; Section 3, Township 21, Range 14; also the Southeast Quarter of the Southwest Quarter; Section 34, Township 22, Range 14; also the Northeast Quarter of the Southwest Quarter; Section 34, Township 22, Range 14; also the Northwest Quarter of the Southwest Quarter; Section 34, Township 22, Range 14; also the Southwest Quarter of the Southwest Quarter; Section 34, Township 22, Range 14.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-20-4ch

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. E. Wyatt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union-Banner, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1957.

T. E. WYATT.

Sworn to and subscribed before me July 23, 1957.

INEZ PATTERSON,
Notary Public.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 858. To amend Sections 2, 3, 4, and 5 of Act No. 31 adopted at the Second Special Session of the Legislature of Alabama of 1956, which act is applicable to any county having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent federal census and requires the installation in each such county of an improved system of indexing and recording documents affecting the title to property and recorded in the office of the Judge of Probate of such county, and which act provides for a special recording fee in each such county for financing said system by the issuance of warrants of such county, so as to provide for the microphotographing of instruments recorded as a part of said improved system; so as to eliminate the provisions in said Act No. 31 requiring the recording on a geographical basis of instruments affecting the title to real property and the installation of maps to facilitate such recording; so as to permit the governing body of the county to provide for the recording and indexing as a part of said improved system of instruments and records in addition to those specified in said Act No. 31; and so as to provide further details with respect to the said improved system, its installation and maintenance, and the duties of the Judge of Probate with respect thereto.

Also:

By Messrs. deGraffenried and Callahan:

H. 867. To provide that any monies heretofore or hereafter collected or on hand for the maintenance of the Law Library of the Circuit Court of any county in Alabama having a population of not less than 94,000 people and not more than 135,000 people, according to the last or any subsequent Federal decennial census shall be expended for the employment of, and salary for, a person or persons to act as librarian, for law books and furniture and equipment, and for other necessary maintenance of the Law Library of such Courts and for no other purpose.

Also:

By Messrs. Lackey, Vacca, Kaul, Edwards (Jefferson), Adams (Jefferson), Nice, and Perry:

H. 855. TO provide for and fix the sum of \$1,000 per year as an allowance for expenses for the president of the commission of any city having a population of 300,000 inhabitants or more according to the last or any subsequent federal census for which he shall not be required to file an accounting.

Also:

By Messrs. Lackey, Edwards (Jefferson), Nice, Vacca, Perry, Kaul and Adams (Jefferson):

H. 856. To alter and extend the boundaries of the City of Birmingham.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given of intention to apply at the 1957 regular session of the Legislature of Alabama for introduction and passage of a bill the substance of which, as distinguished from detail, is and will be the substance, as distinguished from detail, of the following:

AN ACT

To alter and extend the boundaries of the City of Birmingham.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Birmingham in the County of Jefferson, State of Alabama, are hereby altered and extended so that said boundaries shall include within the corporate limits of said city all of the following described additional property not presently located in said city, to-wit:

Lots 2, 3, 4, 5, and 6, in Killough Springs First Addition, as recorded in Map Book 16, pages 34 and 35, in the Office of the Judge of Probate of Jefferson County, Alabama.

Section 2. That this Act shall become and be effective upon and after date of passage and approval by the Governor.

Approved

Time:

Messenger—June 15, 22, 29; July 6, 1957.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 15, 22, 29, July 6, 1957, a legal notice a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 8 day of July, 1957.

BILLIE FOSTER,
Notary Public.

Also:

By Mr. Windle:

H. 832. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than twenty-four thousand nor more than twenty-five thousand five hundred, according to the last or any subsequent federal decennial census.

Also:

By Mr. Killough:

H. 872. Relating to Butler County: authorizing and directing the court of county commissioners, board of revenue, or like governing body of Butler County to provide for reimbursing the County Solicitor of Butler County, the expenses incurred by him in maintaining his office, and in the performance of his duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Butler County: authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the County Solicitor of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Butler County is hereby authorized and directed to provide for the payment from the general fund of the county, and to pay from the said fund to the County Solicitor of Butler County the sum of one hundred dollars per month to cover the expenses incurred by the County Solicitor in maintaining his office and in the performance of his duties. Such expense in said amount shall be paid on requisitions signed by the County Solicitor.

Section 2. This act shall become effective on October 1, 1957.

July 4-11-18-25c

STATE OF ALABAMA
BUTLER COUNTY

Personally appeared before me, Ruby L. Gorham a Notary Public in and for said State and County, Roger Pride, Jr. who being by me first duly sworn doth depose and say that he is the Editor of The Butler County News, a weekly newspaper published in the City of Georgianna, Butler County, Alabama, and that the attached legal notice was published in said The Butler County News for Four successive weeks, said notice having been published in the issues of July 4th, 1957 and July 11th, 1957, July 18th, 1957 and July 25th, 1957 being numbers 27, 28, 29 and 30, respectively of Volume Forty-Seven.

ROGER PRIDE, JR.

Sworn to and subscribed before me, this 25 day of July, 1957.

RUBY L. GORHAM,
Notary Public.

Also:

By Mr. Killough:

H. 873. Relating to Butler County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the Judge of the Inferior Court of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Butler County: authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the Judge of the Inferior Court of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or like governing body of Butler County is hereby authorized and directed to provide for payment from the general fund of the county to the Judge of the Inferior Court of Butler County the sum of one hundred dollars a month to cover the expenses incurred by the judge in maintaining his office and in the performance of his duties. Such expenses shall be paid on requisitions signed by the judge.

Section 2. This act shall become effective on October 1, 1957.

38c4

STATE OF ALABAMA BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice having been published in the issues of June 20, June 27th, July 4th and July 11th, 1957 being numbers 38, 39, 40 and 41, respectively of Volume 92.

J. G. STANLEY.

Sworn to and subscribed before me, this 22d day of July, 1957.

PAULINE B. FULTON,
Notary Public.

Also:

By Mr. Killough:

H. 874. To amend Sections 1, 4, and 9 of the act approved May 23, 1951, which created and established in Butler County a court known as "The Inferior Court of Butler County, Alabama" (Act No. 27, H. 213, Acts of 1951, Vol. I, p. 235).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1, 4 and 9 of the act approved May 23, 1951, which created and established in Butler County a court known as "The Inferior Court of Butler County, Alabama" (Act No. 27, H. 213, Acts of 1951, Vol. I, p. 235.)

Be It Enacted by the Legislature of Alabama:

That Sections 1, 4 and 9 of the act approved May 23, 1951, which created and established in Butler County a court known as "The Inferior Court of Butler County, Alabama" (Act No. 27, H. 213, Acts of 1951, Vol. I, p. 235) are hereby amended to read as follows:

"Section 1. Inferior court created. There is hereby established in Butler County a court with county-wide jurisdiction of criminal cases and civil actions, as hereinafter provided. The court shall be known as "The Inferior Court of Butler County, Alabama." It shall be in lieu of the county court and the juvenile court, both of which are hereby abolished.

"Section 4. Sessions. (a) Sessions of the court shall be held at the county courthouse, and the court shall be open at all times for the transaction of business. A regular session shall be held at least once each month, at a time to be fixed by the Judge, for the trial of criminal cases, and another regular session shall be held at least once each month, at a time to be fixed by the Judge, for the trial of civil cases. Special sessions may be held at such times as the Judge shall designate in orders spread upon the minutes. Sessions may continue so long as may be necessary for the court to complete its business. (b) The Sheriff shall attend the sessions of the court in person or by deputy and shall receive the same compensation therefor which he is now allowed for attending sessions of the County Court and of the Circuit Court. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

"Section 9. Appeals. Any party aggrieved by judgment, order, or ruling of the court may appeal the decision as herein provided. (1) If the case is a civil case, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the Code of 1940. (2) If the case arises under the Court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the Code of 1940. (3) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code."

38c4

STATE OF ALABAMA
BUTLER COUNTY

Personally appeared before me, Pauline B. Fulton a Notary Public in and for said State and County, J. G. Stanley who being by me first duly sworn doth depose and say that he is one of the Editors of The Greenville Advocate, a weekly newspaper published in the City of Greenville, Butler County, Alabama, and that the attached legal notice was published in said The Greenville Advocate for 4 successive weeks, said notice hav-

ing been published in the issues of June 20, June 27th, July 4th and July 11th, 1957 being numbers 38, 39, 40 and 41, respectively of Volume 92.

J. G. STANLEY.

Sworn to and subscribed before me, this 22d day of July, 1957.

PAULINE B. FULTON,
Notary Public.

Also:

By Messrs. Tyson, Simon and Murphy:

H. 876. To amend Act No. 455 of the General Acts of Alabama of 1949, Page 659 which provides that in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property, by adding to said Act Section 14 which provides that said Act shall not apply to real estate on which buildings and improvements are not located on the date of said agreement, and Section 15 which provides that any such agreements of sale covering such unimproved real property may be cancelled and annulled when the purchaser has defaulted in the payments due by such agreement for a period of ninety (90) days by written notice to the purchaser either served on him personally or by registered mail of such default and cancellation.

Also:

By Mr. Oden:

H. 880. To amend Section 6 of an act approved September 28, 1923, the act which established the Law and Equity Court for Franklin County (Act No. 404, H. 808, Local Acts 1923, p. 272); providing further for the compensation of the judge of such court.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6 of an act approved September 28, 1923, the act which established the Law and Equity Court for Franklin County (Act No. 404, H. 808, Local Acts 1923, p. 272); providing further for the compensation of the judge of such court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 6 of an act approved September 28, 1923, the act which established the Law and Equity Court for Franklin County (Act No. 404, H. 808, Local Acts 1923, p. 272), is hereby amended to read as follows:

"Section 6. The judge of said court shall receive an annual salary of not less than three thousand dollars, nor more than six thousand six hun-

dred dollars, to be fixed by the court of county commissioners, board of revenue, or like governing body of the county, payable in monthly installments from the general fund of the county on warrant drawn by said judge. The compensation of the judge shall not be increased nor diminished during the term, as prescribed by the Constitution. There shall be taxed as a trial fee the sum of five dollars in each case that goes on the docket in said court where the amount involved is more than one hundred dollars, and in actions of ejectment, unlawful detainer, forcible entry, and trails of the right of property, and in all the right of property, and in all criminal cases; and a trial fee of three dollars shall be taxed and collected as a part of the costs in all other cases; the trail fee shall be taxed not only in all cases where there is a conviction for a criminal offense, but also in each case where the prosecutor is taxed with the costs. **The trial fees collected shall be paid by the clerk of the court into the general fund of the county.**"

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Signed,

REP. W. E. ODEN.

T-24-4

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1957.

CLAUDE E. SPARKS.

Sworn to and subscribed before me July 18, 1957.

JEAN L. MAY,
Notary Public.

Also:

By Mr. Fite:

H. 883. To amend further Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting law."

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting law."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting laws," as amended, is amended further to read as follows:

"Section 5. The county engineer shall receive an annual salary of not more than nine thousand dollars, the exact amount to be fixed by the Board of Revenue, to be paid in equal monthly installments, which salary may not be decreased during his term of office, such salary to be paid from the gasoline tax funds of Marion County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

4t 6-27ch

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert E. Bonham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County News, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1957.

ROBERT E. BONHAM.

Sworn to and subscribed before me 18th day of July, 1957.

LEOTA MITCHELL,
Notary Public.

Also:

By Messrs. Lackey, Vacca, Adams (Jefferson), Edwards (Jefferson), Perry and Nice:

H. 877. To amend Section 1 and Section 7, of an act approved August 17, 1953, (Act No. 343, H. 662, Acts of 1953, Volume I, Page 404), entitled "AN ACT to provide for the establishment and administration of a supplementary retirement fund for deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks employed by the sheriff in counties having a population of 400,000 or more according to the last or any future federal census and for the payment of benefits to the deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, of the sheriff's office in such counties; to provide for the apportionment of pistol permit fees issued by the sheriff."

Also:

By Messrs. McNider, Kendall and Locke (Choctaw):

H. 838. To designate the new Tombigbee River Bridge at Coffeeville as "The Jim Folsom Bridge," and to direct the State Highway Department to erect appropriate markers thereon.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 683, 823, 824, 826, 843, 844, 858, 867, 855, 856, 832, 872, 873, 874, 876, 880, 883, and 877—To the Committee on Local Legislation

H. 838—To the Committee on Public Roads and Highways

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 73. To fix the compensation of members of the State Board of Pardons and Paroles.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hawkins and Dawkins:

H. 11. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1958 and September 30, 1959, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Also:

By Messrs. Steagall and Hain:

H. 209. To permit an infant to hold stock or other securities in corporations, to exercise rights relating thereto, including the transfer of the same, and to protect corporations relying upon such action without actual notice of the infancy, and to permit infants to receive dividends on stock or other securities in corporations and to give complete acquittance and release therefor.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 11—To the Committee on Finance and Taxation

H. 209—To the Committee on Banking

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Thomas, Cornett, Roberts, Merrill, Albea and Lee (Barbour):

H. 871. To regulate the qualifications, applications, examinations and licensing of all persons who shall be hereafter licensed to act as agent for or to solicit business for any life or health and accident insurance carriers in Alabama who shall engage in the business of selling, soliciting, issuing, delivering, effecting or collecting premiums on policies or contracts of life insurance or contracts of health and accident or both; to define terms; to provide penalties for violations of the provisions hereof; to prohibit the representing of unauthorized insurers; to provide for liability of insurance agents when representing unauthorized insurers; to prohibit the doing of business with unauthorized agents; to provide for the revocation of licenses; to provide that certain information, documents, records or statements disclosed or made to the Superintendent of Insurance shall be deemed a privileged communication and shall not be used as evidence in any court action or proceeding; to provide for the refusal, suspension, or revocation of license and to provide for a hearing thereof; to provide an appeal from certain actions of the Superintendent; to provide for the making of certain rules and regulations by the Superintendent; to provide for the making of certain investigations by the Superintendent; to provide penalties for the violation of this Act; to provide for the severability of this Act; to repeal conflicting laws, and to provide an effective date for this Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 871—To the Committee on Insurance

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Stokes:

H. 549. To repeal the act approved September 9, 1953 entitled "An Act To authorize life insurance companies of this State to invest in loans to corporations whose securities have been approved by the State Securi-

ties Commission of Alabama" (Act No. 539, H. 368, Acts of 1953, Vol. II, p. 755).

Also:

By Mr. Oden:

H. 69. Empowering the Superintendent of Banks to require fees for the examination of all State Banks, Credit Unions and Small Loan Companies.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 549—To the Committee on Insurance

H. 69—To the Committee on Banking

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Stokes:

H. 291. To amend Title 28, Sections 317 and 325 of the Code of Alabama 1940, as amended, which relates to the State Insurance Fund.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 291—To the Committee on Insurance

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Roberts, deGraffenried, Goodwyn, Lee (Barbour), Merrill, Reynolds, Ward, Hare, and Johnson (Elmore):

H. 835. To amend further Section 402 of Title 51, Code of Alabama, 1940, which prescribes the deductions allowed to corporations in computing net income subject to the Alabama income tax imposed by Section 398 of Title 51, Code of Alabama, 1940.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 835. To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Martin and Dawkins:

H. 834. To repeal Section 76 of Title 45, Code of Alabama of 1940, and to amend Section 144 of Title 45, Code of Alabama of 1940, as amended.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 834—To the Committee on Finance and Taxation

RESOLUTION

Messrs. Goodwin and Little offered the following Senate Joint Resolution, to-wit:

S. J. R. 68. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

1. The Legislature of Alabama notes with gratification the recent action taken by the United States Senate in adopting an amendment to the pending so-called civil rights bill, whereby it again vouchsafed to any person accused of violating the laws of this country the right to a trial by a jury of his peers.

2. The Legislature of Alabama does hereby applaud this recent action of the United States Senate.

3. The Senate of the United States is hereby memorialized to be ever vigilant that this most highly valued of all the rights guaranteed by the Constitution to the people of this country, the right to trial by jury, shall never be infringed, and each and every member of that body is respectfully urged to continue to work to the end that this right will always be safe-guarded and no bill shall ever become law which seeks to abrogate or limit it.

4. The Secretary of the Senate of Alabama is hereby directed to transmit a copy of this Resolution to the Secretary of the Senate of the United States and to release a copy thereof to the Press.

On motion of Mr. Little, the Rules were suspended and the resolution adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 219. To amend Sections 1 and 6 of an Act entitled "Establishing a system of diversified prison industries to be operated with the use of prisoners of the State; providing for the classification and training of prisoners employed in prison industries; providing for the requisitioning, purchase, and supply of prison products for the use and consumption of tax supported institutions, departments, boards, commissions and other agencies of the State; providing for the purchase of supplies, materials and equipment required for the operation of prison industries; establishing a revolving fund for the operation of prison industries; and providing penalties for violations of this Act," approved August 31, 1953.

Was read a third time at length and passed.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engelhardt	Lamberth	Shelton
Allen	Flowers	Leonard	Skidmore
Boutwell	Givhan	Metcalf	Smith
Bradford	Goodwin	Moses	Tate
Calvin	Grisham	Newton	Van Antwerp
Cantrell	Hall	Reeves	Vann
Davis (Lowndes)	James	Roberts	Yarbrough (Autauga)
Dyar	Jones	Robison	Yarbrough (Randolph)
Eddins			—32

Nays:

—0

The Bill:

S. 394. To repeal Section 76 of Title 45, Code of Alabama of 1940, and to amend Section 144 of Title 45, Code of Alabama of 1940, as amended.

Was taken up.

Mr. Reeves offered the following amendment to the bill, to-wit:

AMENDMENT TO S. B. 394

Amend S. B. 394 by adding thereto immediately following Section 2, Section 2½ to read as follows:

"Section 2½. The provisions of this Act shall be retroactive."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Flowers	Leonard	Shelton
Allen	Givhan	Little	Skidmore
Boutwell	Goodwin	Metcalf	Smith
Bradford	Grisham	Moses	Tate
Calvin	Hall	Newton	Van Antwerp
Cantrell	James	Reeves	Vann
Davis (Lowndes)	Jones	Roberts	Yarbrough (Autauga)
Eddins	Lamberth	Robison	Yarbrough (Randolph)
Engelhardt			—32

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Flowers	Leonard	Shelton
Allen	Givhan	Little	Skidmore
Boutwell	Goodwin	Metcalf	Smith
Calvin	Grisham	Moses	Tate
Cantrell	Hall	Newton	Van Antwerp
Dyar	James	Reeves	Vann
Eddins	Jones	Roberts	Yarbrough (Aulauga)
Engelhardt	Lamberth	Robison	Yarbrough (Randolph)
			—31

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Callahan and deGraffenried:

H. 164. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama, who had attained age 70 as of July 1, 1951 and who was not eligible to become a member of the Teachers' Retirement System as of July 1, 1951, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; to repeal Act No. 63 approved June 3, 1953 relating to provisions for old age assistance to teachers; and to provide the appropriation necessary to carry out the provisions of this Act.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. 164—To the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

The Bill:

H. 599. Providing for an Administrative Assistant in any county having a population of 113,500 and not more than 140,000 according to the federal census of 1940, fixing the qualifications, compensation and duties of such administrative assistant.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Allen	James	Robison	Van Antwerp
Boutwell	Jones	Shelton	Vann
Bradford	Lamberth	Skidmore	Yarbrough (Autauga)
Calvin	Newton	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays:

—0

The Bill:

H. 560. Relating to Bullock County: To authorize and empower the county board of education of Bullock County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Robison
Allen	Dyar	Lamberth	Shelton
Boutwell	Eddins	Newton	Skidmore
Bradford	Engelhardt	Reeves	Yarbrough (Autauga)
Calvin	Hall	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	James		—21

Nays:

—0

The Bill:

H. 567. Relating to the municipality of Enterprise in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Enterprise, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Newton
Allen	Dyar	James	Reeves
Boutwell	Eddins	Jones	Roberts
Bradford	Givhan	Lamberth	Robison
Calvin	Goodwin	Moses	Shelton
Davis (Lowndes)	Grisham		—21

Nays:

—0

The Bill:

H. 575. Relating to Geneva County; authorizing and requiring the court of county commissioners, board of revenue or like governing body of said county to provide clerk-hire allowances for certain county officers.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hall	Reeves
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Metcalf	Vann
Bradford	Givhan	Moses	Yarbrough (Autauga)
Calvin	Goodwin	Newton	Yarbrough (Randolph)
Cantrell	Grisham		—21

Nays: —0

The Bill:

H. 576. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Metcalf	Skidmore
Davis (Lowndes)	Grisham	Moses	Smith
Eddins	Hall	Newton	Tate
Engelhardt	Lamberth	Reeves	Van Antwerp
Flowers	Leonard	Shelton	Vann
Givhan	Little		—21

Nays: —0

The Bill:

H. 577. To amend Act No. 268, H. 776, approved August 23, 1955, entitled "An Act to designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Leonard	Tate
Allen	Dyar	Little	Van Antwerp
Boutwell	Eddins	Metcalf	Vann
Bradford	Engelhardt	Skidmore	Yarbrough (Autauga)
Calvin	Flowers	Smith	Yarbrough (Randolph)
Cantrell	Givhan		—21

Nays: —0

The Bill:

H. 578. To amend Act No. 453, H. 844, approved September 9th, 1955, entitled "An Act Relating to Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or other like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws." (Acts of Alabama, 1955, p. 1039).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hall	Metcalf	
Allen	Engelhardt	James	Moses	
Boutwell	Flowers	Jones	Newton	
Bradford	Givhan	Leonard	Shelton	
Calvin	Goodwin	Little	Skidmore	
Dyar	Grisham			—21

Nays:

—0

The Bill:

H. 585. Making an appropriation from the treasury of Lawrence County for the relief of W. A. Pullen to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Reeves	Smith	
Allen	Grisham	Roberts	Tate	
Calvin	Little	Robison	Van Antwerp	
Cantrell	Metcalf	Shelton	Yarbrough (Autauga)	
Flowers	Moses	Skidmore	Yarbrough (Randolph)	
Givhan	Newton			—21

Nays:

—0

The Bill:

H. 586. Making an appropriation from the treasury of Lawrence County for the relief of J. B. Byars to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hall	Reeves	
Allen	Engelhardt	James	Van Antwerp	
Boutwell	Flowers	Jones	Vann	
Bradford	Givhan	Moses	Yarbrough (Autauga)	
Calvin	Goodwin	Newton	Yarbrough (Randolph)	
Cantrell	Grisham			—21

Nays:

—0

The Bill:

H. 587. Making an appropriation from the treasury of Lawrence County for the relief of W. L. Hill to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Little	Skidmore
Boutwell	Givhan	Metcalf	Smith
Bradford	Goodwin	Moses	Tate
Calvin	Grisham	Newton	Van Antwerp
Cantrell	Lamberth		

--21

Nays:

—0

The Bill:

H. 588. Making an appropriation from the treasury of Lawrence County for the relief of Silas Nix to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Grisham	Tate
Allen	Eddins	Little	Van Antwerp
Boutwell	Engelhardt	Metcalf	Vann
Bradford	Flowers	Moses	Yarbrough (Autauga)
Calvin	Givhan	Newton	Yarbrough (Randolph)
Cantrell	Goodwin		

—21

Nays:

—0

The Bill:

H. 600. To implement the provisions of Amendment CVI of the Constitution of Alabama, relative to the authority of school districts in Morgan County to levy additional taxes for public school purposes; to authorize the court of county commissioners, board of revenue or like governing body of Morgan County to levy special taxes in and for any school district within the county when such levy is approved at a district election held for such purpose; to provide for the ordering and holding of such elections; and to provide for the assessment, collection and enforcement of such taxes, and for the use of the proceeds thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Roberts
Allen	Givhan	Metcalf	Shelton
Boutwell	Goodwin	Moses	Skidmore
Bradford	Grisham	Newton	Smith
Calvin	Hall	Reeves	Tate
Cantrell	Leonard		

--21

Nays:

—0

The Bill:

H. 591. Relating to Marengo County: To fix the compensation of the members of the County Board of Education of Marengo County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Davis (Lowndes)	James	Robison	Van Antwerp
Davis (Pickens)	Jones	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Eddins	Newton	Smith	Yarbrough (Randolph)
Grisham	Reeves		—21

Nays:

—0

The Bill:

H. 607. To provide further for establishing a national military park at Horseshoe Bend in Tallapoosa County; authorizing the governing body of said county to take certain actions regarding the acquisition and use of land deemed necessary or desirable to be preserved as a part of said park.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Tate
Cantrell	Flowers	Metcalf	Van Antwerp
Davis (Lowndes)	Givhan	Shelton	Vann
Davis (Pickens)	Goodwin	Skidmore	Yarbrough (Autauga)
Dyar	Lamberth	Smith	Yarbrough (Randolph)
Eddins	Leonard		—21

Nays:

—0

The Bill:

H. 608. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in the several school districts in Tallapoosa County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Tate
Allen	Engelhardt	Reeves	Van Antwerp
Cantrell	Flowers	Roberts	Vann
Davis (Lowndes)	Givhan	Robison	Yarbrough (Autauga)
Davis (Pickens)	Goodwin	Smith	Yarbrough (Randolph)
Dyar	Grisham		—21

Nays:

—0

The Bill:

H. 699. Proposing an amendment to the Constitution relating to Marion County.

Was read a third time at length as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Newton	Tate
Allen	Engelhardt	Reeves	Van Antwerp
Boutwell	Flowers	Roberts	Vann
Bradford	Givhan	Robison	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Moses		—21

Nays:

—0

The Bill:

H. 612. Relating to counties having a population of not less than 29,500 nor more than 30,500, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Reeves	Smith
Davis (Lowndes)	Hall	Roberts	Tate
Davis (Pickens)	James	Robison	Van Antwerp
Dyar	Jones	Shelton	Vann
Givhan	Moses	Skidmore	Yarbrough (Autauga)
Goodwin	Newton		—21

Nays:

—0

The Bill:

H. 120. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Roberts	Tate
Davis (Lowndes)	Little	Robison	Van Antwerp
Davis (Pickens)	Metcalf	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Hall	Newton	Smith	Yarbrough (Randolph)
James	Reeves		—21

Nays:

—0

The Bill:

H. 125. To fix the supplemental salaries of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges; and to repeal Act No. 21, H. 74, approved May 26, 1955.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Roberts	Tate
Davis (Lowndes)	Little	Robison	Van Antwerp
Davis (Pickens)	Metcalf	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Hall	Newton	Smith	Yarbrough (Randolph)
James	Reeves		—21

Nays:

—0

The Bill:

H. 432. To amend further Section 257 of Title 13, Code of Alabama (1940), which fixes the compensation of deputy solicitors in certain counties, by providing for the compensation of the deputy solicitor of Winston County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Roberts
Allen	Eddins	Lamberth	Robison
Boutwell	Engelhardt	Leonard	Shelton
Bradford	Flowers	Little	Skidmore
Davis (Lowndes)	Hall	Reeves	Smith
Davis (Pickens)	James		—21

Nays:

—0

The Bill:

H. 408. To amend Section 6 of an act approved June 30, 1955, entitled "An Act To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board" (Act No. 105, S. 152, Acts of Alabama, 1955, Vol. I, p. 350).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Givhan	Skidmore	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Simon and Tyson:

H. 710. To amend further Section 152 of Title 41, Code of Alabama 1940, which relates to salaries of officers and employees of the State of Alabama.

Also:

By Messrs. Gilmer, Lee (Barbour), Steagall, Stenbridge, Solomon, Adams (Tallapoosa), Johnson (Tallapoosa), Thomas, Pirkle, Martin, Harvey, Brooks, McClendon, Hunt, Brown (Lee), Goodwyn and Ward:

H. 833. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars (\$4,500,000) in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at The Alabama Polytechnic Institute at Auburn.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 710 and 833—To the Committee on Finance and Taxation

(The above numbered bill, H. B. 833, was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Adams (Tallapoosa), Johnson (Tallapoosa), Johnson (Elmore), McClendon, Hunt, Jenkins, Brown (Lee), Franklin and Law:

H. 720. To appropriate out of any funds in the State Treasury to the credit of the general fund, not otherwise appropriated, the sum of \$150,000 to the Department of Conservation to be used only for the purchase of lands to be made a part of the Horseshoe Bend National Military Park; and to provide for the lease, sale, swap, exchange, transfer, or otherwise dispose of such lands, including the right to convey same without consideration to the United States of America.

Also:

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa):

H. 761. To repeal Act No. 600 approved August 6, 1907 relating to the celebration of the Battle of Horseshoe Bend in 1814; and to provide for the disposition of any property conveyed to such commission during its existence.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 720 and 761—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Fite, Branyon, Albea, Selman, Lee (Lawrence), Gist, Dement, Oden, Roberts, Hare, Hunt, Pirkle, Brown (Lamar), Broadfoot, Gregory, Harrison, deGraffenried, Callahan, Franklin, Goodwyn, Johnson (Elmore), Ferrell, Reynolds, Burkhalter, Stembridge, Brassell, Nolen, McNider, Ashworth, Lee (Barbour), Merrill, Payne, Wood, Adams (Tallapoosa) and Thomas:

H. 229. To amend Section 180, Title 51, Code of Alabama 1940 as amended by Act No. 519, H. 212, General Acts of Alabama 1943, page 487.

Also:

By Messrs. Fite, Branyon, Albea, Selman, Lee (Lawrence), Gist, Dement, Oden, Roberts, Hunt, Pirkle, Brown (Lamar), Broadfoot, Gregory, Harrison, deGraffenried, Callahan, Franklin, Goodwyn, Johnson (Elmore), Ferrell, Reynolds, Burkhalter, Stembridge, Brassell, Nolen, McNider, Hare, Ashworth, Lee (Barbour), Merrill, Payne, Wood, Adams (Tallapoosa), and Thomas:

H. 230. To amend Section 179, Title 51, Code of Alabama 1940, as follows:

Also:

By Messrs. Fite, Branyon, Albea, Selman, Lee (Lawrence), Gist, Oden, Dement, Roberts, Hunt, Pirkle, Brown (Lamar), Broadfoot, Harrison, Gregory, deGraffenried, Callahan, Goodwyn, Franklin, Johnson (Elmore), Ferrell, Reynolds, Burkhalter, Stembridge, Brassell, Nolen, McNider, Hare, Ashworth, Lee (Barbour), Merrill, Payne, Wood, Adams (Tallapoosa), and Thomas:

H. 232. To amend Section 182, Title 51, Code of Alabama 1940, as follows:

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 229, 230, and 232—To the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

The Bill:

H. 449. To repeal Act No. 25, S. 39, approved September 17, 1932 (Local Acts of Alabama 1932, Extra Session, p. 7), entitled "An Act To establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the Peace, and notaries public with powers of jus-

tices of the peace, in said precinct, to be known as "The Court of Common Pleas of Selma," and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of the judge thereof; to provide for the execution of the process of said court, the issuance of certificates of judgment and the operation thereof; to regulate the procedure in said court, and the appeals therefrom; to provide for the appointment or election of the judge of said court; to fix the qualifications and compensation of said judge and the mode of his election; and term of office; to provide for the payment of the salary of the judge and the expenses of said court; to abolish the office of justice of peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court of all causes pending in the justice of the peace courts in said precinct; to provide that the judge of said court may practice law; to provide for the payment of salaries of the Sheriff and Deputy Solicitor of said County for services rendered said Court; and to fix the costs and fees, and provide for the disposition of costs, fees, fines and forfeitures in said Court."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Tate
Allen	Flowers	Moses	Van Antwerp
Boutwell	Givhan	Shelton	Vann
Bradford	Lamberth	Skidmore	Yarbrough (Autauga)
Calvin	Leonard	Smith	Yarbrough (Randolph)
Eddins	Little		—21

Nays:

—0

The Bill:

H. 566. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Hall	Moses
Allen	Engelhardt	Lamberth	Shelton
Boutwell	Flowers	Leonard	Skidmore
Bradford	Givhan	Little	Smith
Calvin	Goodwin	Metcalf	Tate
Cantrell	Grisham		—21

Nays:

—0

The Bill:

H. 573. To amend Section 5 of an act entitled "Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and

materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws," approved August 23, 1955, being Act No. 261.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Robison
Allen	Davis (Pickens)	Moses	Van Antwerp
Boutwell	Dyar	Newton	Vann
Bradford	Grisham	Reeves	Yarbrough (Autauga)
Calvin	Hall	Roberts	Yarbrough (Randolph)
Cantrell	James		—21

Nays: —0

The Bill:

H. 448. Relating to Dallas County: To create and establish in Dallas County a court to be known as the "Dallas County Court"; defining its jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office, and the manner of their selection, appointment and election; regulating its procedure and process; prescribing costs and fees therein; taking criminal jurisdiction away from justice of the peace courts in the county; and providing for the transfer of cases pending in justice of the peace courts at the time this Act takes effect to the court hereby created and the trial of such cases in this court.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Hall	Tate
Allen	Davis (Pickens)	James	Van Antwerp
Boutwell	Dyar	Jones	Vann
Bradford	Givhan	Metcalf	Yarbrough (Autauga)
Calvin	Goodwin	Moses	Yarbrough (Randolph)
Cantrell	Grisham		—21

Nays: —0

The Bill:

H. 594. To amend Act No. 40, S. 4, approved March 23, 1956 (Acts of Alabama, 1956, p. 328), entitled "An Act To establish and create a court of record for Mobile County in lieu of the Inferior Criminal Court of Mobile County to be known as The Court of General Sessions of Mobile County; to provide and define the jurisdiction of said court and the terms thereof; to provide for the two judges and the officers of said court and their powers, duties and compensation, to fix the term of office of such judges; to provide rules of procedure and to fix the fees and costs of such court; to provide for the transfer of cases from the Inferior Criminal Court to the court hereby created; and to effect the repeal of the acts creating the Inferior Criminal Court of Mobile or to abolish the Inferior Criminal Court of Mobile County."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Reeves	Tate
Davis (Lowndes)	Leonard	Roberts	Van Antwerp
Davis (Pickens)	Little	Robison	Vann
Dyar	Metcalf	Skidmore	Yarbrough (Autauga)
Hall	Moses	Smith	Yarbrough (Randolph)
James	Newton		—21

Nays: —0

The Bill:

H. 595. To regulate primary and general elections of Judges of The Court of General Sessions of Mobile County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Roberts	Tate
Davis (Lowndes)	Little	Robison	Van Antwerp
Davis (Pickens)	Metcalf	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Hall	Newton	Smith	Yarbrough (Randolph)
James	Reeves		—21

Nays: —0

The Bill:

H. 597. For the relief of Joseph L. Morrison, by the payment to him of the sum of \$250.00 to enable him to pay the expense or cost to him of the services of a private physician in the treatment of him for injuries sustained on or about December 10, 1954 while in the employ of Mobile County and then and there engaged in the line and scope of his employment with Mobile County; to provide that said sum shall be payable by Mobile County from its General Funds and that this act shall be effective immediately upon its becoming a law.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Jones	Tate
Allen	Davis (Pickens)	Newton	Van Antwerp
Boutwell	Dyar	Reeves	Vann
Bradford	Grisham	Roberts	Yarbrough (Autauga)
Calvin	Hall	Robison	Yarbrough (Randolph)
Cantrell	James		—21

Nays: —0

The Bill:

H. 598. To provide for the appointment of bailiffs by the judges of the Court of General Sessions of Mobile County, to fix their compensation and to provide for the payment thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Roberts	Tate
Allen	Davis (Pickens)	Robison	Van Antwerp
Boutwell	Dyar	Shelton	Vann
Bradford	Moses	Skidmore	Yarbrough (Autauga)
Calvin	Newton	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays: —0

The Bill:

H. 623. To authorize the governing body of any city or town in any county in Alabama, having a population of more than 225,000 but not more than 500,000 inhabitants according to the last or any subsequent federal decennial census, to abandon certain parks, and providing for the vesting of title to the lands forming such park after such abandonment.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Givhan	Skidmore	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays: —0

The Bill:

H. 626. Relating to Choctaw County: To amend Section 4 of Act No. 660, General & Local Acts of 1951, approved September 4, 1951, relating to the Inferior Court of Choctaw County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Allen	James	Robison	Van Antwerp
Boutwell	Jones	Shelton	Vann
Bradford	Moses	Skidmore	Yarbrough (Autauga)
Calvin	Newton	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays: —0

The Bill:

H. 628. To amend an act approved August 26, 1953, entitled "An Act Relating to Cullman County; fixing the compensation of the coroner" (Act No. 374, H. 736, Acts of Alabama, Regular Session, 1953, Vol. I, p. 446).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Tate
Allen	Engelhardt	Moses	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Lamberth	Skidmore	Yarbrough (Autauga)
Calvin	Leonard	Smith	Yarbrough (Randolph)
Cantrell	Little		—21

Nays: —0

The Bill:

H. 630. To require a license for each person, firm, corporation, dealer or agent selling, offering to sell, or soliciting orders for the sale of furniture, household goods and appliances to ultimate consumers who do not maintain a regular established place of business in DeKalb County, Alabama, for the sale of such furniture and provide for the collection of said license, and to provide a penalty for failure to take out said license and to provide that the Probate Judge issue said license and to provide that the money collected from said license to be paid into the General Fund of DeKalb County, Alabama, for general purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Moses
Allen	Dyar	Lamberth	Van Antwerp
Boutwell	Eddins	Leonard	Vann
Bradford	Engelhardt	Little	Yarbrough (Autauga)
Calvin	Flowers	Metcalf	Yarbrough (Randolph)
Cantrell	James		—21

Nays: —0

The Bill:

H. 631. To amend retrospectively Section 22 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, relating to cities having a population of two hundred and fifty thousand inhabitants according to the last or any succeeding federal census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Leonard	Tate
Allen	Davis (Pickens)	Little	Van Antwerp
Boutwell	Dyar	Shelton	Vann
Bradford	James	Skidmore	Yarbrough (Autauga)
Calvin	Jones	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays: —0

The Bill:

H. 632. To amend retrospectively Section 9 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Reeves	
Allen	Davis (Pickens)	Goodwin	Roberts	
Boutwell	Dyar	Grisham	Robison	
Bradford	Eddins	Hall	Shelton	
Calvin	Engelhardt	Newton	Skidmore	
Cantrell	Flowers			—21

Nays: —0

The Bill:

H. 634. Relating to Lawrence County; regulating further the times and places of registering voters by the board of registrars.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Roberts	
Allen	Davis (Pickens)	Jones	Robison	
Boutwell	Dyar	Moses	Vann	
Bradford	Eddins	Newton	Yarbrough (Autauga)	
Calvin	Engelhardt	Reeves	Yarbrough (Randolph)	
Cantrell	Hall			—21

Nays: —0

The Bill:

H. 635. Relating to Lawrence County, fixing the time of meeting of the county board of equalization to review, revise, correct and fix the assessment values as set by the tax assessor; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Roberts	Tate	
Allen	Davis (Pickens)	Robison	Van Antwerp	
Boutwell	Dyar	Shelton	Vann	
Bradford	Eddins	Skidmore	Yarbrough (Autauga)	
Calvin	Engelhardt	Smith	Yarbrough (Randolph)	
Cantrell	Flowers			—21

Nays: —0

The Bill:

H. 638. To extend the corporate limit lines of the City of Guntersville, Alabama, and to provide when said Act will take effect.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Bradford	Davis (Lowndes)	Eddins
Allen	Calvin	Davis (Pickens)	Engelhardt
Boutwell	Cantrell	Dyar	Flowers

Givhan	Little	Smith	Yarbrough (Autauga)
Lamberth	Shelton	Vann	Yarbrough (Randolph)
Leonard	Skidmore		—21

Nays: —0

The Bill:

H. 639. Relating to Mobile County: To fix the compensation of the register of the circuit court of Mobile County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Roberts	Tate
Allen	Davis (Pickens)	Robison	Van Antwerp
Boutwell	Dyar	Shelton	Vann
Bradford	Moses	Skidmore	Yarbrough (Autauga)
Calvin	Newton	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays: —0

The Bill:

H. 640. To amend the title and Sections 6 and 9 of Act No. 31 adopted at the Second Special Session of the Legislature of Alabama of 1956, which act is applicable to any county having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent federal census, so as to provide for the issuance of general obligation warrants of such counties in amounts which, when added to the amount of the special recording fees provided for in said Act No. 31 on hand for such purpose remaining after creating a special fund as a reserve or cushion for the benefit of such warrants, will be sufficient to pay the costs of installation of the improved indexing and recording provided for in said act, and so as to provide that such warrants and any interest coupons applicable thereto shall evidence claims for office supplies for offices of Probate Judges within the meaning of Subsection 3 of Section 121 of Title 12 of the Code of Alabama of 1940, as amended, and so as to provide that issuance of such warrants and coupons shall constitute audit and allowance of such claims and that said claims need not be proved or registered.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Davis (Lowndes)	James	Robison	Van Antwerp
Davis (Pickens)	Jones	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Goodwin	Newton	Smith	Yarbrough (Randolph)
Grisham	Reeves		—21

Nays: —0

The Bill:

H. 641. Applying in counties having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent Federal census; providing for the method of acknowledging

full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate of such county.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Roberts	Tate
Davis (<i>Lowndes</i>)	Little	Robison	Van Antwerp
Davis (<i>Pickens</i>)	Metcalf	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (<i>Autauga</i>)
Hall	Newton	Smith	Yarbrough (<i>Randolph</i>)
James	Reeves		—21

Nays:

—0

The Bill:

H. 642. Relating to Mobile County: To fix the compensation of the clerk of the circuit court of Mobile County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Leonard	Tate
Allen	Grisham	Little	Van Antwerp
Boutwell	Hall	Shelton	Vann
Davis (<i>Lowndes</i>)	James	Skidmore	Yarbrough (<i>Autauga</i>)
Davis (<i>Pickens</i>)	Jones	Smith	Yarbrough (<i>Randolph</i>)
Dyar	Lamberth		—21

Nays:

—0

The Bill:

H. 646. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 461, H. 885, Local Acts of 1947, p. 323).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (<i>Lowndes</i>)	Givhan	Skidmore
Allen	Davis (<i>Pickens</i>)	Lamberth	Smith
Boutwell	Dyar	Leonard	Tate
Bradford	Eddins	Little	Van Antwerp
Calvin	Engelhardt	Shelton	Vann
Cantrell	Flowers		—21

Nays:

—0

The Bill:

H. 647. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Circuit Clerk of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 460, H. 884, Local Acts of 1947, p. 322).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Goodwin	Skidmore	
Allen	Davis (Pickens)	Lamberth	Smith	
Boutwell	Eddins	Leonard	Tate	
Bradford	Engelhardt	Little	Van Antwerp	
Calvin	Flowers	Shelton	Vann	
Cantrell	Givhan			—21

Nays: —0

The Bill:

H. 648. To amend Section 27 of an act approved March 15, 1911, entitled "An Act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Talladega County, Alabama" (Act No. 118, S. 203, Local Acts of 1911, p. 113).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate	
Allen	Engelhardt	Little	Van Antwerp	
Boutwell	Flowers	Shelton	Vann	
Bradford	Givhan	Skidmore	Yarbrough (Autauga)	
Calvin	Goodwin	Smith	Yarbrough (Randolph)	
Cantrell	Lamberth			—21

Nays: —0

The Bill:

H. 649. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Sheriff of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 462, H. 886, Local Acts of 1947, p. 324).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Newton	Tate	
Allen	Lamberth	Reeves	Van Antwerp	
Boutwell	Leonard	Shelton	Vann	
Bradford	Little	Skidmore	Yarbrough (Autauga)	
Calvin	Metcalf	Smith	Yarbrough (Randolph)	
Cantrell	Moses			—21

Nays: —0

The Bill:

H. 665. To prescribe a rule of procedure in the circuit court of any county in the Twenty-fifth Judicial Circuit of Alabama relative to the joinder of necessary parties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Grisham	Moses
Allen	Eddins	Lamberth	Van Antwerp
Boutwell	Engelhardt	Leonard	Vann
Bradford	Flowers	Little	Yarbrough (Autauga)
Calvin	Givhan	Metcalf	Yarbrough (Randolph)
Cantrell	Goodwin		—21

Nays:

—0

The Bill:

H. 671. To authorize the governing body of Washington County, Alabama to pay the sum of Seven Hundred and Fifty Dollars (\$750.00) out of the gasoline tax fund, road and bridge fund or any other fund in the county treasury not otherwise appropriated to reimburse Mrs. Mary K. Martin for medical and other expense in connection with the death of Mary Anna Martin, who died as a result of an automobile accident in a public road in Washington County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Leonard
Allen	Davis (Pickens)	Goodwin	Little
Boutwell	Dyar	Grisham	Metcalf
Bradford	Eddins	Hall	Yarbrough (Autauga)
Calvin	Engelhardt	Lamberth	Yarbrough (Randolph)
Cantrell	Flowers		—21

Nays:

—0

The Bill:

H. 673. To abolish the City Court of Jasper established by an Act approved March 29th, 1911, and to create and establish in lieu thereof, and in lieu of all justices of the peace and notaries public with powers of justices of the peace, in Precinct One of Walker County, an inferior court to be known as the Court of Common Pleas of Walker County; defining the jurisdiction and powers of said Court and the Judge thereof; providing for officers of said Court and for their compensation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Metcalf
Allen	Davis (Pickens)	Goodwin	Moses
Boutwell	Dyar	Lamberth	Newton
Bradford	Eddins	Leonard	Yarbrough (Autauga)
Calvin	Engelhardt	Little	Yarbrough (Randolph)
Cantrell	Flowers		—21

Nays:

—0

The Bill:

H. 678. To provide for the payment of expenses incurred by members of the court of county commissioners, board of revenue, or like

governing body of Choctaw County which are incurred in the performance of their duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Goodwin	Shelton	Vann
Cantrell	Lamberth		
			—21

Nays: —0

The Bill:

H. 682. Relating to the registration of voters in counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; relieving the members of the boards of registrars in such counties of the duty of visiting precincts or voting places in the performance of their official duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Metcalf
Allen	Davis (Pickens)	Hall	Shelton
Boutwell	Dyar	Lamberth	Skidmore
Bradford	Eddins	Leonard	Smith
Calvin	Engelhardt	Little	Tate
Cantrell	Flowers		
			—21

Nays: —0

The Bill:

H. 684. Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Reeves	Smith
Boutwell	Flowers	Roberts	Tate
Bradford	James	Robison	Yarbrough (Autauga)
Calvin	Jones	Shelton	Yarbrough (Randolph)
Cantrell	Lamberth		
			—21

Nays: —0

The Bill:

H. 685. Relating to Colbert County: To authorize the board of revenue, court of county commissioners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county governing body may levy an additional county privilege or excise tax on tobacco and certain tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed, through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	James	Shelton	
Allen	Davis (Pickens)	Jones	Skidmore	
Boutwell	Dyar	Little	Smith	
Bradford	Eddins	Metcalf	Tate	
Calvin	Engelhardt	Reeves	Van Antwerp	
Cantrell	Goodwin			—21

Nays: —0

The Bill:

H. 686. Proposing an amendment to the Constitution relating to the compensation of certain officers of Colbert County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Hall	Little	
Allen	Davis (Pickens)	James	Metcalf	
Boutwell	Dyar	Jones	Moses	
Bradford	Eddins	Lamberth	Newton	
Calvin	Engelhardt	Leonard	Tate	
Cantrell	Flowers			—21

Nays: —0

The Bill:

H. 687. To propose an amendment to the Constitution of Alabama relative to the industrial development of Bullock County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Reeves	Tate
Davis (Lowndes)	Givhan	Roberts	Van Antwerp
Davis (Pickens)	Lamberth	Shelton	Vann
Dyar	Leonard	Skidmore	Yarbrough (Autauga)
Eddins	Little	Smith	Yarbrough (Randolph)
Engelhardt	Metcalf		—21

Nays:

—0

The Bill:

H. 688. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such Clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Little	Tate
Allen	Dyar	Metcalf	Van Antwerp
Boutwell	Givhan	Shelton	Vann
Bradford	Goodwin	Skidmore	Yarbrough (Autauga)
Calvin	Lamberth	Smith	Yarbrough (Randolph)
Cantrell	Leonard		—21

Nays:

—0

The Bill:

H. 689. Relating to Elmore County: Authorizing and directing the Court of County Commissioners of the County of Elmore to pay to James E. Johnson the sum of One Hundred Fifty (\$150.00) Dollars out of the general fund of Elmore County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Moses
Allen	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin		—21

Nays:

—0

The Bill:

H. 695. An Act to amend Sections 2, 3, and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the city of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of

the legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Smith
Allen	Eddins	Metcalf	Tate
Boutwell	Engelhardt	Moses	Van Antwerp
Bradford	Flowers	Shelton	Vann
Calvin	Givhan	Skidmore	Yarbrough (Autauga)
Cantrell	James		—21

Nays: —0

The Bill:

H. 696. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Shelton
Allen	Davis (Pickens)	Lamberth	Skidmore
Boutwell	Dyar	Leonard	Smith
Bradford	Eddins	Little	Tate
Calvin	Engelhardt	Metcalf	Van Antwerp
Cantrell	Flowers		—21

Nays: —0

The Bill:

H. 698. To alter, rearrange, extend, and establish the boundary lines and corporate limits of the Town of Linden, Marengo County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Roberts
Davis (Lowndes)	Givhan	Metcalf	Robison
Davis (Pickens)	Goodwin	Moses	Shelton
Dyar	Grisham	Newton	Skidmore
Eddins	Lamberth	Reeves	Smith
Engelhardt	Leonard		—21

Nays: —0

The Bill:

H. 700. Proposing an amendment to the Constitution relating to Marion County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Roberts	Tate
Allen	Engelhardt	Robison	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Givhan	Skidmore	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays: —0

The Bill:

H. 704. To regulate further the office of the Judge of Probate of Mobile County; authorizing and empowering the Judge of Probate to create and establish divisions for the performance and function of duties of his office; to assign functions and duties to such divisions and to delegate certain powers to the Chiefs of such divisions; which act appears in Acts of Alabama of 1955 at pages 335 and 336, approved June 28, 1955.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Reeves	Tate
Allen	Davis (Pickens)	Roberts	Van Antwerp
Boutwell	Dyar	Shelton	Vann
Bradford	Grisham	Skidmore	Yarbrough (Autauga)
Calvin	Hall	Smith	Yarbrough (Randolph)
Cantrell	Newton		—21

Nays: —0

The Bill:

H. 722. To amend Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; making such taxes applicable to certain public corporations or institutions.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Newton	Tate
Allen	Davis (Pickens)	Reeves	Van Antwerp
Boutwell	Dyar	Shelton	Vann
Bradford	Hall	Skidmore	Yarbrough (Autauga)
Calvin	James	Smith	Yarbrough (Randolph)
Cantrell	Jones		—21

Nays: —0

The Bill:

H. 723. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest

or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Board of Education in such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Tate
Cantrell	Flowers	Moses	Van Antwerp
Davis (Lowndes)	Givhan	Shelton	Vann
Davis (Pickens)	Lamberth	Skidmore	Yarbrough (Autauga)
Dyar	Leonard	Smith	Yarbrough (Randolph)
Eddins	Little		—21

Nays:

—0

The Bill:

H. 621. To authorize, direct and require the State Department of Revenue to collect any sales and use taxes which may be levied in the city of Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the Governing Body of the City of Haleyville; to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

Was taken up.

Mr. Allen offered the following substitute for the bill, to-wit:

Senate Substitute for H. B. 621

A BILL
TO BE ENTITLED
AN ACT

To authorize, direct and require the State Department of Revenue to collect any sales and use taxes which may be levied in the city of Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of the City of Haleyville: To prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The Department of Revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in the City of Haleyville, in Winston County, Alabama, under the provisions of any municipal ordinance or resolution with a levy identical to the state levy except for rate of tax, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments, and deductions as are applicable to the state sales and use taxes levied under Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940), and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including the provisions for the enforcement and collection of taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of the City of Haleyville and when a certified copy of said ordinance or resolution has been filed with the Department of Revenue not less than thirty days prior to the effective date of the tax levy. Such municipal sales and use

taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, and all reports required to be made to the Commissioner of Revenue hereunder shall, on request to the Department of Revenue, be made available for inspection by the governing body of the City of Haleyville, or its designated agent, at reasonable times during business hours. The Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all the authority and duties hereunder as it has in connection with the collection of the State's sales and use taxes provided for by Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended. It shall be the duty of the Commissioner of Revenue to pay into the state treasury all such taxes collected for the City of Haleyville under the Act; and on or before the first day of the following month, the Commissioner shall certify to the Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of the City of Haleyville during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue his warrant on the State Treasurer for the amount, less expenses, so certified by the Commissioner of Revenue as having been collected for the use of the City of Haleyville and paid into the State Treasury; and the amount so certified by the Commissioner of Revenue as having been collected for the use of such city (less expenses) shall be paid to the Treasurer or other custodian of funds of the City of Haleyville. The Department of Revenue shall charge the City of Haleyville for collecting such municipal sales and use taxes the cost of making such collections provided, however, that such charge shall not exceed ten per cent of the amount collected. The Comptroller shall each month draw his warrant on the funds collected hereunder payable to the Department of Revenue for the amount of such charges. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to the City of Haleyville under the provisions of this Act.

Section 2. Any municipal ordinance or resolution levying a tax required to be collected hereunder, any amendment, or addition, or other change in such ordinance or resolution shall be effective on the first day of the month next following the expiration of thirty days from the date of the adoption of such municipal ordinance or resolution, provided, however, the Department of Revenue shall not be required or authorized to make any collection of taxes or otherwise perform the duties provided herein until and unless a certified copy of such ordinance or resolution, or amendment thereto, is filed with the Department of Revenue not less than thirty days prior to the effective date of said ordinance, resolution, or amendment thereto.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective on the first day of the first month next following the date of its enactment.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Goodwin	Shelton	Vann
Cantrell	Lamberth		

—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Goodwin	Shelton	Vann
Cantrell	Lamberth		

—21

Nays:

—0

The Bill:

H. 384. To provide for an additional deputy sheriff for Escambia County.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 384

Amend the bill, H. B. 384, by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. The sheriff of Escambia County, may, with the approval of the court of county commissioners, board of revenue or like governing body of Escambia County, appoint a deputy sheriff in addition to his chief deputy and all other deputies heretofore provided for by law. Such additional deputy shall perform his duties and exercise authority in such manner as the sheriff may direct. His compensation shall be a salary of two hundred seventy-five dollars (\$275) per month, which shall be paid from the county treasury in the manner provided by law."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Newton	Tate
Allen	Grisham	Reeves	Van Antwerp
Boutwell	Hall	Roberts	Vann
Bradford	James	Robison	Yarbrough (Autauga)
Calvin	Jones	Smith	Yarbrough (Randolph)
Cantrell	Moses		

—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Newton	Tate
Allen	Grisham	Reeves	Van Antwerp
Boutwell	Hall	Roberts	Vann
Bradford	James	Robison	Yarbrough (Autauga)
Calvin	Jones	Smith	Yarbrough (Randolph)
Cantrell	Moses		—21

Nays:

—0

The Bill:

H. 385. Relating to Escambia County: To increase the compensation of deputies sheriff of such county, and providing for the payment thereof.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

COMMITTEE AMENDMENT TO H. B. 385

Amend the bill, H. B. 385, as follows: Strike out the first sentence of Section 1 and insert in lieu thereof the following sentence: When approved by the court of county commissioners, board of revenue or like governing body of Escambia County, the chief deputy sheriff and each of the other deputies of the sheriff whose compensation is payable by the county shall each be entitled to receive a sum not exceeding thirty-five dollars (\$35) per month in addition to all other compensation prescribed by law, to be paid in the same manner as their other compensation.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Roberts	Tate
Davis (Lowndes)	Little	Robison	Van Antwerp
Davis (Pickens)	Metcalf	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Hall	Newton	Smith	Yarbrough (Randolph)
James	Reeves		—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Jones	Roberts	Tate
Davis (Lowndes)	Little	Robison	Van Antwerp
Davis (Pickens)	Metcalf	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Hall	Newton	Smith	Yarbrough (Randolph)
James	Reeves		—21

Nays:

—0

The Bill:

H. 725. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Lowndes)	Givhan	Shelton	
Allen	Davis (Pickens)	Lamberth	Skidmore	
Boutwell	Dyar	Leonard	Smith	
Bradford	Eddins	Little	Tate	
Calvin	Engelhardt	Metcalf	Van Antwerp	
Cantrell	Flowers			—21

Nays: —0

The Bill:

H. 726. To amend further Section 4 of an act approved August 3, 1927 (Act No. 228, H. 707, Local Acts of Alabama, 1927, p. 130), an act which established the Inferior Court of Tuscaloosa County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore	
Allen	Engelhardt	Little	Smith	
Boutwell	Flowers	Metcalf	Tate	
Bradford	Givhan	Moses	Van Antwerp	
Calvin	Goodwin	Shelton	Vann	
Cantrell	Lamberth			—21

Nays: —0

The Bill:

H. 450. To propose an amendment to the Constitution of Alabama relating to the fees, commissions, percentages, allowances, and compensation of certain officers of Dallas County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Moses	
Allen	Eddins	Lamberth	Robison	
Boutwell	Engelhardt	Leonard	Vann	
Bradford	Flowers	Little	Yarbrough (Autauga)	
Calvin	Givhan	Metcalf	Yarbrough (Randolph)	
Cantrell	Goodwin			—21

Nays: —0

The Bill:

H. 170. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County, Alabama.

Was read a third time at length and passed.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Eddins	Jones	Roberts
Allen	Engelhardt	Lamberth	Robison
Boutwell	Flowers	Leonard	Skidmore
Bradford	Givhan	Little	Smith
Cantrell	Grisham	Metcalf	Tate
Davis (Lowndes)	Hall	Newton	Vann
Dyar	James	Reeves	Yarbrough (Autauga)

—27

Nays: Messrs.: Calvin, Moses, and Yarbrough (Randolph) —3

The Bill:

S. 24. To make an appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 28; Nays 3.

Yeas:

Messrs.:	Engelhardt	Lamberth	Robison
Allen	Flowers	Leonard	Skidmore
Boutwell	Givhan	Little	Smith
Bradford	Grisham	Metcalf	Tate
Cantrell	Hall	Newton	Van Antwerp
Davis (Lowndes)	James	Reeves	Vann
Dyar	Jones	Roberts	Yarbrough (Autauga)
Eddins			

—28

Nays: Messrs.: Calvin, Moses, and Yarbrough (Randolph) —3

The Bill:

H. 32. To authorize the Director of Conservation to enter into agreements of reciprocity with Conservation Commissioners and other proper officials of adjoining states concerning the catching or taking of fish. To provide a license tax for non-resident fishermen or citizens of adjoining states which have a reciprocal agreement with Alabama.

Was read a third time at length and passed.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Shelton
Allen	Engelhardt	Metcalf	Skidmore
Boutwell	Flowers	Moses	Smith
Bradford	Hall	Newton	Tate
Calvin	James	Reeves	Vann
Cantrell	Jones	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Lamberth	Robison	Yarbrough (Randolph)
Dyar	Leonard		

—29

Nays: —0

The Bill:

S. 23. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

COMMITTEE AMENDMENT TO S. B. 23

Amend S. B. 23 by striking the words and figures "Ten Thousand Dollars (\$10,000.00)" and substituting therefore the words and figures "Thirteen Thousand Five Hundred Dollars (\$13,500.00)".

Which was adopted.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Flowers	Little	Skidmore
Bradford	Givhan	Metcalf	Smith
Calvin	Grisham	Moses	Tate
Cantrell	Hall	Newton	Van Antwerp
Davis (Lowndes)	James	Reeves	Yarbrough (Autauga)
Dyar	Jones	Roberts	Yarbrough (Randolph)

—31

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Engelhardt	Leonard	Shelton
Allen	Flowers	Little	Skidmore
Boutwell	Givhan	Metcalf	Smith
Bradford	Grisham	Moses	Tate
Calvin	Hall	Newton	Van Antwerp
Cantrell	James	Reeves	Vann
Davis (Lowndes)	Jones	Roberts	Yarbrough (Autauga)
Dyar	Lamberth	Robison	Yarbrough (Randolph)
Eddins			

—32

Nays:

—0

The Bill:

S. 396. To preserve domestic tranquility, and good order and efficiency in public educational institutions, and to avoid disorder and potential violence within the state by providing for the closing of public schools under certain conditions; to provide assistance for certain children for whom proper public school facilities are not available, and to provide for the transfer or reassignment of teachers and other employees of closed public schools.

Was taken up.

The Standing Committee on Education reported the following substitute for the bill, to-wit:

COMMITTEE SUBSTITUTE TO S. B. 396

A BILL
TO BE ENTITLED
AN ACT

To preserve domestic tranquility, and good order and efficiency in public educational institutions, and to avoid disorder and potential violence within the State by providing for the closing of public schools under certain conditions; to provide assistance for certain children for whom proper public school facilities are not available, and to provide for the transfer or reassignment of teachers and other employees of closed public schools.

Be It Enacted by the Legislature of Alabama:

Section 1. Each board of education shall discontinue the operation of any school within its jurisdiction, indefinitely or for such term as it may determine, if the board finds, in the manner herein provided, that the continued operation of such school will be accompanied by such tensions, friction or potential disorder or ill will within the school as substantially to impair effective standards or objectives of education of its pupils, or by potential impairment of peace, order and good will in the community, school district, or county involved.

Section 2. The determination to discontinue the operation of any public school on any ground provided in Section 1 shall be made by the board of education having jurisdiction thereof only after public hearings, held at a time and place fixed by the board, which may be invoked by the board at any time upon the vote of a majority of its members, or upon petition filed with the board signed by not less than 100 qualified voters of the school district, or upon petition filed by one of the parents or the guardian of a majority of pupils enrolled in the school proposed to be discontinued. The board shall give notice of such hearing by publication in a newspaper of general circulation in the district not less than one week in advance of the hearing, and must hold a hearing within thirty days of the receipt of any such petition, but may adjourn the hearing from time to time pending reasonable effort or procedure to relieve the cause for discontinuance.

Section 3. A determination to close a public school made in accordance with the procedure hereto prescribed or to reopen the school upon termination of the cause for discontinuance shall be final and not subject to review by any court or other authority.

Section 4. The board of education may maintain any school which has been closed as herein provided, in a reserve or standby condition, or it may sell or lease such school, upon such terms and conditions as the board shall determine, provided, that prior consideration shall be given to the sale or lease of such school for private nonprofit educational purposes.

Section 5. If as a result of the closing of a school or schools or otherwise there are children of school age residing within a district for whom no public school is available, who are otherwise qualified for education in public schools, and have not, independently of the ground for discontinuance, elected to attend private schools, the board of education may, in lieu of providing a public school or schools for such children, pay to their parents or guardians, or to a private educational institution designated by the parents or guardians, in equal amounts for each such child, such sums from available school or education funds as the board shall determine to be reasonably necessary to enable such children to attend private non-denominational schools selected by their parents or guardians. If any public schools are operated by the board during

the term for which any such payments are made, such payments shall not exceed the total amount per pupil allocated or budgeted by the board for the district as a whole for the current term.

Section 6. In the event that any board of education shall determine that a condition is threatened which will or might require the discontinuance of a school as herein provided, the board may in its discretion, by agreement with the parents or guardians of any enrolled pupils or applicants for enrollment whose enrollment would contribute to such a condition requiring discontinuance, provide for payments for such pupils or applicants for the purposes and in the amounts provided in Section 5 hereof, in lieu of placement of such pupils or applicants in a public school. For the purposes of allocating the minimum program fund, or other State contributions to local boards of education, the daily attendance of pupils attending private non-denominational schools in districts where public schools are not available for the reasons herein stated shall be counted together with the pupils in the public schools of such district.

Section 7. In the event that a school is closed as herein provided, the board may transfer the teachers and other employees of the closed school to other schools within the district at the same compensation, upon the same terms and with the same rights and benefits to which they are entitled at the closed school.

Section 8. The provisions of this Act are severable, and if any section or provision hereof is held invalid, the remainder shall not be affected thereby.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Mr. Metcalf offered the following amendment to the Committee Substitute for the bill, to-wit:

Amend the Committee Substitute for S. B. 396 as follows:

In section 2, strike out the phrase "or upon petition filed by one of the parents or the guardian of a majority of pupils enrolled in the school proposed to be discontinued" and insert in lieu thereof the following: "or upon petition filed by the parents, or one of them, or guardians of a majority of the pupils enrolled in the school proposed to be discontinued."

Also, in Section 7, strike out the word "district" and insert in lieu thereof the following: "jurisdiction of the employing board of education."

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	Givhan	Moses	Van Antwerp
Calvin	Hall	Newton	Vann
Cantrell	James	Reeves	Yarbrough (Autauga;
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		

—29

Nays:

—0

And said substitute, as thus amended, for the bill, was then adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Metcalf	Smith
Boutwell	Flowers	Moses	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	Hall	Reeves	Vann
Cantrell	James	Robison	Yarbrough, (Autauga)
Davis (Lowndes)	Jones	Shelton	Yarbrough (Randolph)
Dyar	Lamberth		—29

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Metcalf	Smith
Boutwell	Flowers	Moses	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	Hall	Reeves	Vann
Cantrell	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth	Shelton	—30

Nays:

—0

The Bill:

S. 41. To amend further Section 362, Title 52, Code of Alabama (1940), as amended, which defines certain words and phrases used in connection with the provisions of law regulating the Teachers' Retirement System of Alabama.

Was taken up.

The Standing Committee on Education reported the following substitute for the bill, to-wit:

EDUCATION COMMITTEE SUBSTITUTE FOR S. B. NO. 41

A BILL TO BE ENTITLED AN ACT

To amend further Section 362, Title 52, Code of Alabama (1940), as amended, which defines certain words and phrases used in connection with the provisions of law regulating Teachers' Retirement System of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 362, Title 52, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 362. Definitions. The following words and phrases as used in this chapter unless a different meaning is plainly required by the context shall have the following meaning: 'Retirement system' shall

mean the teachers' retirement system of Alabama as defined in section 363 of this title. 'Public school' shall mean any day school conducted within the state under the authority and supervision of a duly elected or appointed county or city board of education and any educational institution supported by and under the control of the state, or any private non-denominational school operated nonprofit for education of children of school age residing within a district where no public school is available for such children. 'Teacher' shall mean any teacher, principal, superintendent, supervisor, college professor, administrative officer, or clerk employed in any public school or public college within the state or employed in any private non-denominational school operated nonprofit for education of children of school age residing within a district where no public school is available for such children, or any similar employee or officer of the department of education or of the Alabama education association, or any attendance worker fifty percent or more of whose salary is paid from public school funds, or any employee receiving a regular stated compensation from the retirement system. In all cases of doubt the board of control hereinafter defined shall determine whether any person is a teacher as defined in this chapter. 'Employer' shall mean the State of Alabama, the county school board, the city school board, the state board of education, or any governing body of any private non-denominational school operated nonprofit for education of children of school age residing within a district where no public school is available for such children, or any other agency of and within the state by which a teacher is paid. 'Member' shall mean any teacher included in the membership of the system as provided in section 364 of this title. 'Board of control' shall mean the board provided for in section 367 of this title to administer the retirement system. 'Medical board' shall mean the board of physicians provided for in section 367 of this title. 'Trustees' shall mean the members of the board of control, to administer the trust funds. 'Service' shall mean service as a teacher. 'Prior service' shall mean service rendered prior to the date of establishment of the retirement system for which credit is allowable under section 365 of this title. 'Membership service' shall mean service as a teacher rendered while a member of the retirement system and on account of which contributions are made. 'Creditable service' shall mean 'Prior service' plus 'membership service' rendered since last becoming a member. 'Beneficiary' shall mean any person in receipt of a pension, an annuity, a retirement allowance, or other benefit as provided by this chapter. 'Regular interest' shall mean interest compounded annually at such rate as shall be determined by the board of control in accordance with section 368, subsection (2) of this title. 'Accumulated contributions' shall mean the sum of all the amounts deducted from the compensation of a member and credited to his individual account in the annuity savings fund together with regular interest thereon as provided in section 369 of this title. 'Earnable compensation' shall mean the full rate of the compensation that would be payable to a teacher if he worked the full normal working time. In cases where compensation includes maintenance, the board of control shall fix the value of that part of the compensation not paid in money. 'Average final compensation' shall mean the average annual earnable compensation of a teacher during his last ten years of service prior to retirement, or if he should have less than ten years of service, then his average earnable compensation for his total service. 'Annuity' shall mean payments for life derived from the 'accumulated contributions' of a member. All annuities shall be payable in equal monthly installments. 'Pension' shall mean payments for life derived from money provided by the employer. All pensions shall be payable in equal monthly installments. 'Retirement allowance' shall mean the sum of the 'annuity' and the 'pension.' 'Retirement' shall mean withdrawal from active service with a retirement allowance or optional benefit in lieu thereof granted under the provisions of this chapter. 'Annuity reserve' shall mean the present value of all payments to be made

on account of any annuity or benefit in lieu of any annuity computed upon the basis of such mortality tables as shall be adopted by the board of control, and regular interest. 'Pension reserve' shall mean the present value of all payments to be made on account of any pension or benefit in lieu of any pension computed upon the basis of such mortality tables as shall be adopted by the board of control, and regular interest. 'Actuarial equivalent' shall mean a benefit of equal value when computed upon the basis of such mortality tables as shall be adopted by the board of control and regular interest. The masculine pronoun, whenever used, shall include the feminine. 'Normal contribution' means the contribution of the state necessary to provide a pension equal to the annuity which the member's contribution made prior to age sixty-five with interest will provide at age of retirement not to exceed age sixty-five."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Metcalf	Smith
Boutwell	Flowers	Moses	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	Hall	Reeves	Vann
Cantrell	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth	Shelton	—30

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Skidmore
Allen	Flowers	Moses	Smith
Boutwell	Givhan	Newton	Tate
Bradford	Hall	Reeves	Van Antwerp
Calvin	James	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Leonard	Shelton	Yarbrough (Randolph)
Eddins			—28

Nays:

—0

The Bill:

H. 271. An act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a Peace Officer, Merchant, or Merchant's Employee, shall not render Merchant, Merchant's Employee, or Peace Officer criminally or civilly liable for false arrest, false imprisonment or unlawful detention; providing for arrest without a warrant by a Peace Officer upon probable cause, and exempting merchants or their employees from civil or criminal liability where probable cause exists to believe a person committed larceny of goods held for sale.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Engelhardt	Moses	Smith
Allen	Flowers	Newton	Tate
Boutwell	James	Reeves	Van Antwerp
Bradford	Lamberth	Roberts	Yarbrough (Autauga)
Calvin	Leonard	Robison	Yarbrough (Randolph)
Dyar	Metcalf	Skidmore	—22

Nays:

—0

The Bill:

H. 510. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1957.

Was read a third time at length and passed.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Moses	Smith
Allen	Flowers	Newton	Tate
Boutwell	James	Reeves	Van Antwerp
Bradford	Lamberth	Roberts	Yarbrough (Autauga)
Calvin	Leonard	Robison	Yarbrough (Randolph)
Dyar	Metcalf	Skidmore	—22

Nays:

—0

The Bill:

H. 85. To amend Section 29 of an act known as the "Alabama Coal Mine Safety Law of 1949" (Act No. 207, S. 134, Acts of Alabama, Regular Session 1949, p. 242), to provide for the use of millisecond blasting in conformity with the requirements prescribed by the Bureau of Mines of the United States Department of the Interior.

Was read a third time at length and passed.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Skidmore
Allen	Flowers	Moses	Smith
Boutwell	Givhan	Newton	Tate
Bradford	James	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Yarbrough (Autauga)
Dyar	Leonard	Robison	Yarbrough (Randolph)
Eddins			—24

Nays:

—0

The Bill:

H. 212. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Was taken up.

Mr. Roberts offered the following amendment to the bill, to-wit:

Amend H. B. 212 as follows:

Section 2a. Provided that the Official Court Reporter of the Sixteenth Judicial Circuit shall receive a total salary of Fifty-four Hundred Dollars per annum, twenty-eight hundred dollars of which shall be payable in equal monthly installments by the counties as set out in Section 1 above, and the remaining twenty-six hundred dollars per annum shall be paid in equal monthly installments on the warrant of the State Comptroller from the General Fund in the State Treasury.

Which was adopted.

Yeas 22; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	James	Reeves	Yarbrough (Autauga)
Calvin	Lamberth	Roberts	Yarbrough (Randolph)
Dyar	Leonard	Robison	—22

Nays:

—0

On motion of Mr. Robison, the bill, H. B. 212, as amended, was carried over to the next Legislative Day as unfinished business.

The Bill:

S. 124. To propose an amendment to the Constitution authorizing the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama for building construction and improvement purposes at the Alabama Institute for Deaf and Blind at Talladega, Alabama.

Was taken up.

Mr. Leonard offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 124

A BILL TO BE ENTITLED AN ACT

To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing the issuance of not exceeding \$3,000,000 principal amount of general obligation bonds of the State of Alabama for building construction and improvement purposes at the Alabama Institute for Deaf and Blind at Talladega, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed and shall become valid as a part of the constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

"The State is authorized to become indebted and to issue interest bearing bonds, in addition to those heretofore authorized and sold, in an aggregate principal amount not exceeding \$3,000,000. The proceeds derived from the sale of said bonds shall be used solely for the purpose of paying the expenses incurred in the sale and issuance thereof and for the acquisition of sites for and the construction, reconstruction, altera-

tion, improvement and equipment of building facilities, including the renewal or replacement of structural parts, at the Alabama Institute for Deaf and Blind. Said bonds shall be sold only at a duly advertised public sale or sales, upon sealed bids or at auction, to the bidder whose bid reflects the lowest net interest cost to the state for the bonds offered for sale, and shall be sold at not less than their face value plus accrued interest thereon. Said bonds shall be direct general obligations of the state and for the prompt and faithful payment of the principal thereof and interest thereon the full faith and credit of the state are hereby irrevocably pledged. In addition thereto, there is hereby specially and irrevocably pledged for payment of the principal of and interest on said bonds, pro rata and without priority of one bond over another by reason of prior issuance or otherwise, so much as may be necessary for said purpose of those portions of the state sales tax and the state use tax in effect at the date of the adoption of this amendment which are required by law at the date of the adoption of this amendment to be paid into the Alabama Special Educational Trust Fund. The said special pledge shall create a charge on the tax proceeds herein specially pledged prior to all other charges or expenses for educational or any other purposes whatsoever; provided, that in the event any other bonds should be issued under the authority of any other amendment to the constitution proposed by the 1957 Regular Session of the Legislature, or by any public corporation created pursuant to any statute enacted at said session, for payment of the principal of and interest on which the said taxes or any portion thereof should be pledged in such other constitutional amendment or in or pursuant to authority of such statute, then the special pledge of the said taxes herein made shall be on a parity with the pledge or pledges of said taxes or portion thereof for the benefit of such other bonds. The bonds issued under this amendment and the income therefrom shall be exempt from all taxation in the State of Alabama. The provisions of Section 261 of the Constitution of Alabama shall not be deemed to apply to the tax proceeds so specially pledged or to the proceeds from any bonds issued hereunder. The Legislature shall adopt appropriate enabling legislation to carry out the intent and purpose of this amendment."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held pursuant to the provisions of Sections 284 and 285 of the constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama of 1940, as amended.

Section 3. Notice of the election on the proposed amendment shall be given by proclamation by the Governor published in a newspaper in each county in the state once a week for four successive weeks next preceding the day herein appointed for the election, and in any county in which there may be no newspaper published the notice shall be posted at each courthouse therein.

Which was adopted.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	Givhan	Reeves	Van Antwerp
Calvin	James	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Leonard	Shelton	Yarbrough (Randolph)
Dyar			—28

Nays:

—0

Said bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	Givhan	Reeves	Van Antwerp
Calvin	James	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Leonard	Shelton	Yarbrough (Randolph)
Dyar			—28

Nays:

—0

The Bill:

S. 137. To authorize the issuance of not more than three million dollars in principal amount of general obligation bonds of the State of Alabama, for the purpose of financing the construction, improvement, and equipment of buildings, and acquiring sites therefor, at the Alabama Institute for Deaf and Blind; to make an appropriation for the payment of such bonds; to exempt the bonds and the interest thereon from taxation; and to make provision for the terms, specifications, execution, sale, and issuance of the bonds, and for the disposition of the proceeds thereof.

Was taken up.

The Standing Committee on Finance and Taxation reported the following substitute for the bill, to-wit:

COMMITTEE SUBSTITUTE FOR S. B. 137

A BILL TO BE ENTITLED AN ACT

To authorize the sale and issuance of not exceeding \$3,000,000 principal amount of general obligation bonds of the State of Alabama for the purpose of acquiring sites for and constructing, reconstructing, altering, improving and equipping building facilities, including renewal and replacement of structural parts, at the Alabama Institute for Deaf and Blind; to pledge the full faith and credit of the state for payment of the principal of and interest on said bonds; to appropriate and pledge, as additional security therefor, so much as may be necessary of those portions of the state sales tax and the state use tax required by law to be paid into the Alabama Special Educational Trust Fund; to create a bond commission with authority to specify the details of and to make provisions for the sale of and to sell said bonds; and to make provision for the terms, execution, and issuance of said bonds and the use of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The following terms, wherever used in this act, shall have the following respective meanings: "Bonds" mean the bonds authorized in this act; "the commission" means the bond commission created in this act; "the state" means the State of Alabama. Use of words in the plural shall include the singular, and pronouns shall include all applicable genders.

Section 2. There are hereby authorized to be issued not exceeding \$3,000,000 aggregate principal amount of bonds of the state, which shall be general obligations of the state for the prompt and faithful payment of the principal of and interest on which the full faith and credit of the state are hereby irrevocably pledged. In addition thereto, there is hereby appropriated and hereby specially and irrevocably pledged, for payment of the principal of and interest on the bonds, pro rata and without priority of one over another by reason of prior issuance or otherwise, so much as may be necessary for said purpose of those portions of the state sales tax and the state use tax levied respectively in Articles X and XI of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, which are required by law at the time of this act to be paid into the Alabama Special Educational Trust Fund. The said special pledge shall create a charge on the said portions of the said state sales tax and use tax prior to all other charges or expenses for educational purposes whatsoever; provided, that in the event securities of any kind should be issued under the authority of any amendment to the constitution which may be proposed by the 1957 Regular Session of the Legislature, or by any public corporation which may be created pursuant to any statute enacted at said session, for payment of the principal of and interest on which the said taxes or any portion thereof should be pledged in such constitutional amendment or in or pursuant to authority or such statute, then the special pledge of the said taxes herein made for the benefit of the bonds shall be on a parity with the pledge or pledges of said taxes or portion thereof for the benefit of such other securities.

Section 3. The Governor, the Director of Finance, and the President of the Alabama Institute for Deaf and Blind are hereby constituted a bond commission with full authority, except as herein specified or limited, to provide the terms of the bonds and to provide for the sale and issuance thereof. No member of the commission shall receive compensation in any form for any services performed by him in and about his duties as a member or officer of the commission. The commission shall meet at the call of the Governor, who is hereby constituted its chairman, and it shall designate one of its members as secretary thereof. Two members of the commission shall constitute a quorum for the transaction of business and all proceedings of the commission shall be reduced to writing and recorded in a substantially bound book which shall be signed by the members of the commission and filed with the Secretary of State who shall retain the same.

Section 4. Except as hereinafter limited, the bonds may be sold, executed and delivered at any time and from time to time, may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest or both, may be payable in such installments and at such time or times, may be payable at such place or places within or without the state, may bear interest at such rate or rates payable and evidenced in such manner, may contain provisions for redemption at the option of the commission at such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other provisions not inconsistent with the provisions of this act, all as shall be provided by the commission in the resolution or resolutions whereunder the bonds are issued. The principal of each series of the bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the commission under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series and the last of which installments shall mature not later than twenty years after the date of the bonds of the same series. Any redemption price required to be paid in order to effect any redemption of bonds prior to maturity shall not exceed the face value of each bond redeemed

plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest on such bond. Each series of bonds having an installment of principal maturing more than ten years after the date thereof shall be made subject to redemption prior to maturity, at the option of the state, at the end of the tenth year following their date and semiannually thereafter, as a whole or in part in the inverse order of the numbers of the bonds of that series. When each series of the bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during each then succeeding fiscal year of the state the aggregate installments of principal and interest that will mature on all bonds that will be outstanding hereunder, immediately following the issuance of the bonds of that series, will be substantially equal; provided, that the determination by the commission that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of any of the bonds and all subsequent holders thereof shall be fully protected by such determination. None of the bonds shall be sold for less than their face value plus accrued interest thereon to the date of their delivery, and all of the bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the state computed to the respective maturities of the bonds sold; provided, that if no bid deemed acceptable by the commission is received all bids may be rejected. Notice of each bond sale shall be given by the commission by publication in either a financial journal or a financial newspaper published in New York, New York, and also by publication in a newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The commission shall cause such other publicity to be given of each bond sale as it may deem advisable, and it shall fix the terms and conditions under which each sale of bonds may be held; provided, that such terms and conditions shall not conflict with any of the requirements of this act. The commission is authorized to provide terms and conditions under which any of the bonds may be exchanged for like bonds of other denominations and may be converted from bearer bonds into registered bonds, either as to principal or interest or both as the commission may prescribe, and again converted into bearer bonds. Subject to the provisions of this act, the commission may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the commission then outstanding.

Section 5. The bonds shall be executed in the name of the state by the Governor, and the Great Seal of the State shall be affixed thereto and attested by the Secretary of State. A facsimile of the signature of either, but of both, of said officials may be imprinted on any of the bonds in lieu of being manually inscribed thereon, and in the discretion of the commission a facsimile of the Great Seal of the state may be engraved, lithographed or imprinted on the bonds in lieu of said seal being manually affixed thereon. The coupons evidencing any installments of interest on the bonds shall be executed with the facsimile signature of the State Treasurer. Each such facsimile signature shall be valid in all respects as if the officials whose facsimile signatures are so used had signed the bonds in person. Any facsimile of the Great Seal of the state so used shall be valid in all respects as if the Great Seal of the state had been manually affixed to the bonds. In the event any official who shall sign the bonds or whose facsimile signature shall appear thereon shall thereafter cease to hold office before they are delivered and paid for, the bonds and the coupons applicable thereto shall nevertheless be valid for all purposes to the same extent as if the official who signed the bonds or whose facsimile signature appears thereon had remained in office until all of the bonds bearing such signature or facsimile thereof shall have been delivered and paid for.

Section 6. The proceeds derived from the sale of the bonds shall be covered into the State Treasury and after payment therefrom on order of the commission of the expenses incident to the authorization, preparation and issuance of the bonds, the balance remaining shall be disbursed from time to time on order of the Board of Trustees of the Alabama Institute for Deaf and Blind solely for the acquisition of sites for and the construction, reconstruction, alteration, improvement and equipment of building facilities, including renewal and replacement of structural parts, at the Alabama Institute for Deaf and Blind.

Section 7. If any part or provision of this act shall be held to be invalid by a court of competent jurisdiction such invalidity shall not affect any other provision hereof.

Section 8. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing issuance of the bonds.

Which was adopted.

Yeas 26; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Metcalf	Skidmore
Boutwell	Engelhardt	Moses	Smith
Bradford	Flowers	Newton	Tate
Calvin	Givhan	Reeves	Yarbrough (Autauga)
Cantrell	James	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Lamberth	Robison	—26

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 27; Nays 0.

Yeas:

Messrs.:	Dyar	Leonard	Shelton
Allen	Eddins	Metcalf	Skidmore
Boutwell	Engelhardt	Moses	Smith
Bradford	Flowers	Newton	Tate
Calvin	Givhan	Reeves	Van Antwerp
Cantrell	James	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	Lamberth	Robison	Yarbrough (Randolph)
			—27

Nays:

—0

The Bill:

S. 95. To amend further Section 661 of Title 2, Code of Alabama 1940, which relates to the creation of soil conservation districts, to provide for the disannexing of territory from existing districts so as to form new districts with boundaries co-extensive with county boundaries.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	Givhan	Reeves	Van Antwerp
Calvin	James	Roberts	Yarbrough (Aulauga)
Dyar	Lamberth	Robison	Yarbrough (Randolph)

—23

Nays:

—0

The Bill:

S. 337. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Medical Center in Birmingham.

Was taken up.

Mr. Calvin offered the following amendment to the bill, to-wit:

AMENDMENT TO SENATE BILL 337

Amend the second paragraph of the constitutional amendment proposed in Section 1 of S. B. 337 so that the said second paragraph of the said proposed constitutional amendment shall read as follows:

"The Board of Trustees of the University of Alabama is hereby vested with full authority, except as limited herein, to provide the terms of the bonds and to provide for the sale and issuance thereof. The bonds may be sold, executed and delivered at any time and from time to time, may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest or both with rights of conversion into another form, may be payable in such installments and at such place or places, may bear interest at such rate or rates payable and evidenced in such manner, and may contain provisions for redemption at the option of the state to be exercised by said board at such date or dates prior to their maturity and upon payment of such redemption price or prices, all as shall be provided by the said board in the resolution or resolutions whereunder the bonds are issued. The principal of each series of bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the said board under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series and the last of which installments shall mature not later than twenty years after the date of the bonds of the same series. When each series of bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during each then succeeding fiscal year of the state the aggregate installments of principal and interest that will mature on all bonds that will be outstanding hereunder, immediately following the issuance of the bonds of that series, will be substantially equal; provided, that the determination by the said board that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of the bonds with respect to which such determination is made and all subsequent holders thereof shall be fully protected thereby. None of the bonds shall be sold for less than face value plus accrued interest thereon to the date of delivery, and all of the bonds shall be sold only at public sale or sales, either on sealed bids or at public auction, after such advertisement as

may be prescribed by the said board, to the bidder whose bid reflects the lowest net interest cost to the state computed to the respective maturities of the bonds sold; provided, that if no bid deemed acceptable by the said board is received all bids may be rejected."

Which was adopted.

Yeas 24; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Metcalf	Smith
Boutwell	Flowers	Moses	Tate
Bradford	Givhan	Newton	Van Antwerp
Calvin	James	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Lamberth	Robison	Yarbrough (Randolph)
Dyar			—24

Nays:

—0

And said bill, as thus amended, was then read a third time at length, as required by the Constitution, and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Engelhardt	Metcalf	Skidmore
Allen	Flowers	Moses	Smith
Boutwell	Givhan	Newton	Tate
Bradford	James	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Yarbrough (Autauga)
Dyar	Leonard	Robison	Yarbrough (Randolph)
			—23

Nays:

—0

The Bill:

S. 184. To amend Title 8, Section 232 and Section 239, code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	James	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Yarbrough (Autauga)
Dyar	Leonard	Robison	Yarbrough (Randolph)
			—23

Nays:

—0

The Bill:

S. 348. To make an appropriation to the Agricultural Center Board for each of the two fiscal years ending September 30, 1958 and September 30, 1959, for the purpose of aiding counties and municipalities in constructing and equipping facilities suitable for housing livestock shows,

agricultural and industrial displays and other agricultural uses and purposes consistent with the betterment and advancement of agriculture.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 23; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Skidmore
Allen	Engelhardt	Moses	Smith
Boutwell	Flowers	Newton	Tate
Bradford	James	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Yarbrough (Autauga)
Dyar	Leonard	Robison	Yarbrough (Randolph)
			—23

Nays:

—0

The Bill:

H. 117. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Was taken up.

The Standing Committee on Local Legislation reported the following substitute for the bill, to-wit:

COMMITTEE SUBSTITUTE FOR H. B. 117

A BILL TO BE ENTITLED AN ACT

Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created, and shall be established on the first Monday after the second Tuesday in January, 1961, the county commission of Mobile County, which shall be in lieu of the board of revenue and road commissioners of Mobile County and shall be composed of a president and two associate commissioners. The board of revenue and road commissioners is continued as the governing body of Mobile County until the county commission is established as provided in this Act. It is provided, however, that should any vacancy occur in the membership of the board of revenue and road commissioners after the effective date of this act but prior to the second Tuesday in January, 1961, the vacancy shall be filled by the Governor and the appointee shall hold his office until the first Monday after the second Tuesday in January 1961, and until his successor is elected and qualified, the provisions of any other law to the contrary notwithstanding. Upon the establish-

ment of the county commission as herein provided, the board of revenue and road commissioners shall be abolished.

Section 2. (a) Members of the commission shall be elected at the general election to be held in November, 1960 and every four years thereafter, by the qualified electors of the entire county. In all primary and general elections held to choose members of the commission, the ballots shall separately designate and specify the places on such commission by number, and each candidate shall designate in the announcement of his candidacy the number of the place for which he is a candidate. Members of the commission must be qualified electors of Mobile County, but commissioner number one must be a resident of the City of Mobile and commissioner number two must be a resident of the territory lying outside the corporate limits of the City of Mobile. Commissioner number three may reside any place within the county. The members so elected shall hold office for terms of four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified.

(b) Every four years, the members of the commission shall elect one of their number as president of the commission at the first regular meeting held after their taking office. The person so elected shall serve as president during his term as a member of the commission, and until his successor is elected and qualified. Vacancies on the commission shall be filled by appointment by the Governor, but the office of president of the commission shall be filled by the members thereof. Any person appointed to fill a vacancy shall serve the unexpired term, and until his successor is elected and qualified.

Section 3. Except as otherwise provided in this Act, the county commission of Mobile County shall have all the jurisdiction and powers which are or may hereafter be by law vested in the courts of county commissioners, boards of revenue, or other county governing bodies of this State; and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for the members of courts of county commissioners, boards of revenue, or other county governing bodies of this State.

Section 4. The president of the commission shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the commission, and shall sign all warrants drawn on the county treasury, unless in the event of his disability some other member of the commission shall be designated by an appropriate resolution of the board so to do; and it shall be his duty to receive and prepare business and obtain information for the sessions of the commission, to see to the execution of all orders thereof, and to report to the commission all infractions of the revenue law in the county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required of the judge of probate as to matters coming before the court of county commissioners.

Section 5. The members of the county commission of Mobile County shall devote their full time to the discharge of their official duties. The president of the commission shall receive an annual salary of ten thousand dollars (\$10,000) and each associate commissioner shall receive an annual salary of nine thousand dollars (\$9,000). The salaries of the president and associate commissioners shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, as provided by law, and shall be their entire compensation for the services required of them by this Act.

Section 6. The county commission of Mobile County shall hold regular meetings on the second Monday of every month, and shall remain

in session until all business before them is disposed of; and the commissioners may hold such special meetings, upon the call of its president or the two associate commissioners, as may be necessary for the proper discharge of their duties. A majority of the commission shall constitute a quorum for the transaction of business. The commission shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read, and all minutes shall be open to public inspection at reasonable times.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed. The provisions of Act No. 195, S. 364, approved July 10, 1951, which are in conflict with the provisions of this Act are superseded by this Act.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Givhan	Skidmore	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays: —0

And said bill, as thus amended by the substitute, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Givhan	Skidmore	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays: —0

NOTICE IN WRITING

Messrs. Bradford and Skidmore offered the following Notice in Writing, to-wit:

Notice in writing is hereby given in accordance with Senate Rule 33 that on the next legislative day I will move that Senate Rule 23 be amended to read as follows:

“Rule 23. When the reading in full or at length of any bill, except a bill on third reading, or any resolution, petition, memorial, or other

paper is called for and the reading at length of such paper is objected to by a member, the question shall be determined by a majority vote of the Senate without debate."

Which was read and ordered spread upon the Journal.

CALENDAR BILLS INDEFINITELY POSTPONED

On motion of Mr. Reeves, further consideration of the bill, S. 176, was indefinitely postponed.

On motion of Mr. Engelhardt, further consideration of the bill, S. 170, was indefinitely postponed.

On motion of Mr. Tate, further consideration of the bill, S. 304, was indefinitely postponed by the Senate.

CALENDAR BILL CARRIED OVER AS UNFINISHED BUSINESS

On motion of Mr. Flowers, consideration of S. B. 174, and pending committee amendment was carried over as unfinished business until the next Legislative Day.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-fifth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-fifth Legislative Day approved by the Senate.

ADJOURNMENT

At 5:20 P. M., on motion of Mr. Allen, the Senate adjourned until Tuesday, August 6, 1957 at 12 o'clock Noon.

TWENTY-SIXTH LEGISLATIVE DAY

TUESDAY, AUGUST 6, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend M. Forrest Hicks, Pastor, Goode Street Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

BILL RECALLED AND RE-REFERRED

On motion of Mr. Eddins, the bill, H. B. 228, was recalled from the Standing Committee on Judiciary, and was re-referred by the President and Presiding Officer of the Senate to the Standing Committee on Local Legislation.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Joint Resolutions and Senate Bill with the original Senate Joint Resolutions and Senate Bill, respectively, and finds same correctly enrolled to-wit:

S. J. R. 65. Extending sympathy to Representative and Mrs. Ralph Windle in the recent death of Mrs. Windle's mother, Mrs. Emma Parker of Gordo.

Also:

S. J. R. 66. Extending sympathy to Senator and Mrs. Cooper in the death of Mrs. Cooper's father, J. Dudley Handley, Sr.

Also:

S. 73. To fix the compensation of members of the State Board of Pardons and Paroles.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTIONS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bill and and Senate Joint Resolutions; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Calvin, Yarbrough (Autauga), Shelton, Yarbrough (Randolph), Smith, Cooper, Hall, Moses, Grisham and Engelhardt:

S. 444. To amend an act approved September 5, 1951, entitled "An Act To create a State Bureau of Publicity and Information, transferring to it the functions, funds, jurisdiction, authority, personnel, property and effects of the Division of Records and Reports, providing for the appointment of a Director of Publicity and an advisory board, abolishing the office of Director of the Division of Records and Reports, conferring exclusive power upon the Bureau to plan and conduct all state programs of tourist advertising, and making an appropriation for that purpose" (Act No. 712, H. 48, Acts of 1950-51, Vol. II, p. 1250).

Committee on Judiciary.

By Mr. Leonard:

S. 445. To create and establish the Alabama State Board of Funeral Directors and Embalmers and to fix and prescribe the powers, duties and authority thereof; to provide for the appointment and removal and fix the qualifications, term of office, compensation and duties, power and authority of the members of such Board; to define terms; to regulate and control the practice of embalming of dead human bodies and the business or profession of funeral directing; to provide for the transportation of dead human bodies; to require the licensing of all embalmers and funeral directors and the registration of their apprentices; to fix and prescribe the qualifications required of applicants for such licenses and provide for the examination of applicants therefor; to provide the manner in which applications for such licenses and renewals thereof shall be made; to provide for the issuance and renewal of such licenses and to require the payment of fees therefor; to provide for certain exemptions in case of servicemen; to provide for the refusal, revocation and restoration of such licenses; to prohibit the practice of the science or profession of embalming and the business or profession of funeral directing without compliance with the provisions of this Act; to authorize such Board to adopt bylaws and to make, promulgate and enforce rules and regulations for the regulation of said Board and for the enforcement of said law; to provide for the appointment and compensation of inspectors; to provide for the better protection of life and health and the prevention of the spread of infectious, communicable and contagious diseases; to provide for certain exemptions and exclusions from the provisions of this Act; to provide for the transfer of funds, properties, books, records and effects of every kind; to make violations of this Act unlawful and to provide penalties therefor; to make violations of this Act a public nuisance and to provide for the restraint thereof; to repeal Sections 121, 122, 123, 124, 125, 126, 127 as amended, and 128 of Title 46, Code of Alabama, 1940, and all other conflicting laws.

Committee on Public Health.

By Messrs. Skidmore and Metcalf:

S. 446. To establish an Appendix B to the Alabama Rules of Civil Procedure and therein, to amend for courts subject to the Alabama Rules of Civil Procedure these Alabama statutes relating to practice and procedure which, as they now read, are inconsistent, inappropriate or redundant with the Alabama Rules of Civil Procedure: Title 7, Code of Alabama, 1940—Sections 105, 126, 141, 154, 275, 298, 350, 390, 508, 510, 511, 573, 574, 581, 583, 932, 933, 942, 943, 959, 1045, 1046, 1058; Title 13, Code of Alabama, 1940—Sections 156, 213 as amended.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 447. To repeal Sections 56 and 1157 of Title 7, Code of Alabama, 1940; Sections 114, 162, 168 and 183 of Title 13, Code of Alabama, 1940;

Section 553 of Title 37, Code of Alabama, 1940; and Section 55 of Title 58, Code of Alabama, 1940, each of which is incompatible with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 448. To amend Section 763 of Title 37, Code of Alabama, 1940, which relates to the dissolution and reinstatement of injunctions restraining the conduct of a business, occupation, trade or profession because municipal privilege licenses or excise taxes thereon are delinquent, in order to reconcile such sections with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 449. To amend Sections 1156, 1158 and 1161 of Title 7, Code of Alabama, 1940, which relate to receivers, in order to reconcile such statutes with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 450. To amend Section 285 of Title 46, Code of Alabama, 1940, which provides for appeals to the Supreme Court of Alabama from judgments of the circuit court in cases involving the revocation of licenses to practice medicine.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 451. To amend Section 50 of Title 9, Code of Alabama, 1940, which relates to the examination of parties to gaming or wagering contracts in actions for the recovery of money paid under such contracts, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 452. To amend Section 15 of Title 7, Code of Alabama, 1940, which prescribes the court procedure to establish or restore lost, destroyed or mutilated judicial records, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 453. To amend Section 17 of Title 13, Code of Alabama, 1940, which prescribes the jurisdiction of the Supreme Court.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 454. To amend Act No. 446, H. 9, approved July 9, 1945 (General Acts of Alabama, 1945, page 684), which provides for the ascertainment and payment of the value of life or dower interest in certain lands sold for division among joint owners or tenants in common, in order to reconcile such law with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 455. To amend Sections 79 and 80 of Title 34, Code of Alabama, 1940, which relate to the powers of the circuit court relative to the cus-

tody of children of parents who have voluntarily separated, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 456. To amend Section 62 of Title 58, Code of Alabama, 1940, which relates to the decree of the circuit court on hearing a petition for removal of a trust estate to another state, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 457. To amend Section 79 of Title 7, Code of Alabama, 1940, which provides for jury trial in actions and suits by the State of Alabama, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 458. To amend Act No. 365, H. 59, approved September 7, 1955 (Acts of Alabama, 1955, page 886), entitled "An Act Relating to civil remedies and procedure; to provide further for venue in actions on policies or certificates of insurance," in order to reconcile such Act with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 459. To amend Sections 522 and 693 of Title 37, Code of Alabama, 1940, which provide for appeals to the Supreme Court, in order to reconcile these laws with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 460. To amend Sections 909 and 913, of Title 7, Code of Alabama, 1940, which relate to permissible evidence in mitigation of damages in actions of defamation, libel and slander, in order to reconcile such sections with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 461. To amend Section 60 of Title 7, Code of Alabama, 1940, which prescribes the venue of suits against a foreign corporation, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 462. To establish an Appendix E to the Alabama Rules of Civil Procedure and therein, to declare inapplicable in courts subject to those Rules these provisions relating to depositions on oral examination, except to the extent specified in Rule 43(a), Alabama Rules of Civil Procedure: Title 7, Code of Alabama, 1940, § 295; Equity Rules 54 and 55 in the Appendix to Title 7, Code of Alabama, 1940, with subsequent revisions.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 463. To amend Section 1094 of Title 7, Code of Alabama, 1940, which relates to the issuance of an injunction or restraining order in

an action to abate a nuisance, in order to reconcile such section with the Alabama Rules of Civil Procedure.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 464. To establish an Appendix D to the Alabama Rules of Civil Procedure and therein, to adopt as statutes applicable in any civil action in courts subject to the Alabama Rules of Civil Procedure these equity rules in the Appendix, Title 7, Code of Alabama, 1940: Equity Rules 9, 70, 90, 92, 102, 105, 106, 109, as revised; 119½ as adopted May 31, 1941.

Committee on Judiciary.

By Messrs. Skidmore and Metcalf:

S. 465. To establish an Appendix C to the Alabama Rules of Civil Procedure and therein, to amend and to adopt as statutes applicable in any civil action in courts subject to the Alabama Rules of Civil Procedure these equity rules in the Appendix to Title 7, Code of Alabama, 1940; Equity Rules 12, 22, 89, 101, 104, 107.

Committee on Judiciary.

By Messrs. Boutwell, Robison, Van Antwerp, Reeves and Vann:

S. 466. To amend Section 136, Title 45, Code of Alabama (1940), which relates to the duty of the Sheriff or Jailor with regard to receiving into his custody any person committed under criminal charge or offense against the United States.

Committee on Judiciary.

By Messrs. Davis (Pickens), Engelhardt and Givhan:

S. 467. To amend Article 20 of Chapter 1, Title 17, Code of Alabama (1940), which relates to the election of electors for president and for vice-president and representatives in Congress.

Committee on Privileges and Elections.

By Messrs. Davis (Pickens), Engelhardt and Givhan:

S. 468. To amend Article 9, Section 145 of Chapter 1, Title 17, Code of Alabama (1940), which relates to the names of candidates being placed on ballots.

Committee on Privileges and Elections.

By Messrs. Cooper and Givhan:

S. 469. To provide expense allowance to judges of the circuit courts in all judicial circuits composed of five or more counties in addition to those expenses now allowed by law.

Committee on Finance and Taxation.

By Mr. Cooper:

S. 470. Authorizing the utilization of convicts to work upon, clear and restore certain neglected cemeteries or graveyards in Wilcox County, and providing for the guarding, safe-keeping and maintenance of convicts when employed in such work.

Committee on Judiciary.

By Mr. Moses:

S. 471. To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama, with the power of Justice of the Peace; To prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; to provide rules and procedures of said Court; To provide that the DeKalb County Commission shall

provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama, and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL TO BE ENTITLED AN ACT

To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama, with the power of justice of the Peace; To prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; To provide rules and procedures of said Court; To provide that the DeKalb County Commission shall provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

Be It Enacted By the Legislature of Alabama:

Section 1. There is hereby established an inferior Court of DeKalb County, Alabama. Said Inferior Court shall be known as the DeKalb County Inferior Court.

Section 2. The DeKalb County Inferior Court shall have and exercise all authority, powers and jurisdiction as is now vested in or which may hereafter be conferred on Courts of Justices of the Peace by General Laws. The Judge of said Court shall have and exercise all the powers and authority and perform all the duties now or which may hereafter be required by law of Justices of the Peace and he shall have the same rights and privileges and same disabilities and penalties as now apply by law to Justices of the Peace.

Section 3. H. C. Lybrand is hereby appointed as Judge of said County who shall hold office until the first Monday after the second Tuesday in January 1963, and until his successor is elected and qualified. At the General Election in 1962 and every six years thereafter a successor to such Judge shall be elected by the qualified electors of DeKalb County. Such Judge shall hold office for a term of six years until his successor is elected and qualified.

Section 4. All vacancies in the office of Judge shall be filled by appointment by the Governor, and such appointee shall hold office for the unexpired term and until his successor is elected and qualified.

Section 5. The Judge of said Court shall possess all the qualifications which the law requires of a justice of the peace and shall be a qualified elector of and reside in DeKalb County, Alabama.

Section 6. All provisions of the general law relating to rules of procedure, the holding of Court, issuing of process, assessment, taxing allowance, collection and payment of costs and fees and all laws affecting and regulating the practice and duties of Justices of the Peace shall be applicable to and required of the Judge of the DeKalb County Inferior Court.

Section 7. The Judge of the DeKalb County Inferior Court shall receive as compensation for his services the same fees and costs allowed Justices of the Peace which shall be taxed and collected in each case in the same manner as in Justice of the Peace Court.

Section 8. The Judge of said Court shall address all processes issued out of said Court to any lawful officer of DeKalb County, Alabama, and it shall be executed by the Sheriff or one of his Deputies. Fees allowed the Sheriff for similar service in Justice of the Peace Courts shall be taxed and collected in each case is the DeKalb County Inferior Court and paid to the Sheriff for his services.

Section 9. The same rights, laws, regulations and requirements as now govern appeals and certiorari in cases from courts of Justices of the Peace shall apply and govern appeals and certiorari of cases from the DeKalb County Inferior Court.

Section 10. In the event the Judge of the DeKalb County Inferior Court is for any reason disqualified from acting or is absent for any cause, the parties to the cause or either of the Judges of the Judicial Circuit of which DeKalb County is situated may appoint a suitable person to act as such Judge in such cause or during the absence of said Judge.

Section 11. Before entering upon his duties as Judge of the DeKalb County Inferior Court, such Judge shall give bond in the penal sum of Two Thousand Dollars payable to DeKalb County, Alabama, and conditioned to faithfully discharge the duties of his office which bond shall be approved by the Judge of Probate and filed in the office of the Judge of Probate of DeKalb County, Alabama. Said bond shall also be conditioned as required by law as other public officials of DeKalb County, and shall take the prescribed oath of office as other public officials before assuming the duties of said office.

Section 12. The office of the Judge of the DeKalb County Inferior Court shall be considered a County Office within the meaning of the election laws of Alabama.

Section 13. The County Commission shall furnish the Judge of the DeKalb County Inferior Court with suitable office space in the Courthouse of DeKalb County, Alabama, which said office shall be kept open for business during the usual hours of business for the transaction of business and shall furnish the supplies for said Court on request of the Judge, and the Judge shall hold his Court at the County Courthouse of DeKalb County, Alabama.

Section 14. The rules now applying to the recording of judgments applying to the Justice of the Peace Courts and the liens thereof shall apply to the Judgments rendered in the DeKalb County Inferior Court.

Section 15. The Judge of said Court shall keep a record of all proceedings in the DeKalb County Inferior Court, DeKalb County, Alabama, and shall keep a docket of all cases tried or to be tried in said Court, and said records shall be subject to audit as other county offices by the State Department of Examiner of Accounts.

Section 16. It is not the intention of this Act to abolish the office of Justice of the Peace in DeKalb County or any precinct, but only to create the DeKalb County Inferior Court in DeKalb County, Alabama with concurrent jurisdiction throughout DeKalb County, Alabama, with Justices of the peace and said Court shall have final jurisdiction to try and determine cases of forcible entry and detainer and unlawful detainer, cognizable in said county, irrespective of the location of the real property in DeKalb County, Alabama.

Section 17. That if for any reason any section, clause or provision of this Act shall be declared invalid or unconstitutional, it shall not be deemed or held to affect any other section, clause or provision, but same shall remain in full force and effect.

Section 18. That this Act shall become effective upon its passage by the Legislature and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA
DEKALB COUNTY

Before me, W. M. Beck, a Notary Public at large for the State of Alabama, personally appeared Bobby R. Day, who being by me first duly sworn, deposes and says:

That he is publisher of the Fort Payne Journal, a Newspaper published at Fort Payne, DeKalb County, Alabama, and that said Fort Payne Journal, is a newspaper of general circulation in DeKalb County, Alabama, and that the notice of a local bill for DeKalb County, to provide for a DeKalb County Inferior Court, a copy of which is attached hereto, was published in said newspaper, the Fort Payne Journal, for four consecutive weeks, to-wit: In issues dated July 15, 1957, July 22, 1957, July 29, 1957, and August 5, 1957, and that each of said above issues was duly circulated among the subscribers of said newspaper which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two consecutive weeks, prior to the publication of the above stated. I further certify that no part of the cost of advertising said local bill has been paid by the state of Alabama.

BOBBY R. DAY,
Publisher of the Fort Payne Journal.

Sworn to and subscribed before me this the 5th day of August, A. D., 1957.

W. M. BECK,
Notary Public.
State of Alabama at Large.

My Commission Expires February 7, 1959.

By Mr. Moses:

S. 472. To establish a DeKalb County Superior Court for DeKalb County; to define its jurisdiction and powers; To provide for its officers, their powers, duties and compensation; To provide that the said court shall be open at all times for the trial of cases and transaction of business; Prescribing rules and procedure of said Court; and to provide for the transfer of cases now pending in the DeKalb County Court to the DeKalb County Superior Court; To provide for the repeal of the DeKalb County Court, DeKalb County, Alabama, as created by Act No. 179 Local Acts, 1927 Legislature, pages 93 to 101 inclusive, as amended; To create a fine and forfeiture fund and to provide for payment of claims, to transfer funds from DeKalb County Fine and Forfeiture Fund to DeKalb County Superior Court Fine and Forfeiture Fund; To provide for a Solicitor for the DeKalb County Superior Court, his term of office and election, compensation and duties; To provide for payment of expenses of said Court out of the General Fund of DeKalb County, Alabama.

Committee on Local Legislation.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF LOCAL LAW

Notice is hereby given that a local bill will be introduced in the present session of the Legislature of Alabama and an effort will be made to secure its passage. Said local law being in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To establish a DeKalb County Superior Court for DeKalb County; to define its Jurisdiction and powers; To provide for its officers, their powers, duties and compensation; To provide that the said Court shall be open at all times for the trial of cases and transaction of business; Prescribing rules and procedure of said Court; and to provide for the transfer of cases now pending in the DeKalb County Court to the DeKalb County Superior Court; To provide for the repeal of the DeKalb County Court, DeKalb County, Alabama, as created by Act 179 Local Acts 1927 Legislature, pages 93 to 101 inclusive, as amended; To create a fine and forfeiture fund and to provide for payment of claims, to transfer funds from DeKalb County Fine and Forfeiture Fund to DeKalb County Superior Court Fine and Forfeiture Fund; To provide for a Solicitor for the DeKalb County Superior Court, his term of office and election, compensation and duties; To provide for payment of expenses of said Court out of the General Fund of DeKalb County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That there be and is hereby established in and for DeKalb County, Alabama, a Court which shall be called "The DeKalb County Superior Court" and which shall be a Court of record which shall have and exercise the jurisdiction or authority, functions and powers hereinafter conferred upon it by this Act.

Section 2. Said Court shall have original jurisdiction coextensive with DeKalb County of all Civil Cases at law and the said Court and the Judge thereof shall have the power and authority to administer oaths, to issue search warrants and writs of habeas corpus, prohibition, certiorari, quo warranto, mandamus, and other special and extraordinary writs and the Judge of said Court shall have the same power as Circuit Judges with reference to ordering the institution of quo warrant proceedings; and the said Court in civil matters shall have jurisdiction concurrent with the Circuit Court. The said Court shall have jurisdiction of all causes against persons charged with the commission of misdemeanors, except that this Act shall not restrict the criminal jurisdiction of Justices of the Peace, and shall have exclusive jurisdiction of all criminal cases appealed from the Court of any Mayor, Recorder, Justice of the Peace, Probate Court, appeals from Probate Court and condemnation proceedings, and appeals from the actions of any City or Towns from improvement assessments; notary public ex officio, justice of the peace, and of bastardy proceedings provided for by Title 6 of the Code of Alabama, 1940, and on all indictments returned against parties charged with misdemeanor, and the Clerk of said Court shall issue capias returnable to said DeKalb County Superior Court. The said DeKalb County Superior Court shall also have exclusive jurisdiction of all civil cases appealed from Justice of the Peace Court or of any Notary Public Ex Officio Justice of the Peace.

Section 3. Said Court shall have exclusive jurisdiction over children and the Judge of the DeKalb County Superior Court shall be judge of the Juvenile Court. It being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the DeKalb County Superior Court of all Juvenile matters and Juvenile jurisdiction in DeKalb County,

Alabama, as now provided under Title 13, Chapter 7, Section 350 to 383, both inclusive, of Code of Alabama, 1940, or as hereafter amended and appeals in such cases shall be to the Circuit Court.

Section 4. That the DeKalb County Superior Court shall have exclusive and original jurisdiction of all cases arising under Title 34, Article 3, Section 89 to 104, both inclusive, of Code of Alabama, 1940, or as hereafter amended, which Article 3, is entitled "Desertion and Non-Support." That the trial of such cases shall be by the Court without a jury and appeals in such cases shall be to the Circuit Court.

Section 5. That the Clerk of the DeKalb County Superior Court shall be the Clerk of the Juvenile Court and shall issue complaints, warrants, notices, decrees, orders and writs necessary in and about the operation of said Court, and for his services upon said Court shall receive in addition to compensation now or hereafter allowed him, the sum of \$400.00 per annum as ex officio fees to be paid by the DeKalb County Commission or other like governing body of DeKalb County, Alabama, as other ex officio fees are paid.

Section 6. All laws and rules of practice with reference to process, pleading and practice, and drawing of juries in the several proceedings in the Circuit Court shall be applicable to the DeKalb County Superior Court and all statutes and rules of practice pertaining to County Courts and to the Circuit Court shall be applicable to criminal causes pending in said Court.

Section 7. Prosecutions for misdemeanors committed in DeKalb County may be instituted in the DeKalb County Superior Court by making affidavit before the Judge or Clerk of said Court. The writ or said affidavit to be issued by the Clerk of said Court, and when the defendant is arrested on said affidavit, said cause may be docketed for trial and be tried as though the defendant had been indicted by a grand jury.

Section 8. That all civil cases are to be tried by the Court without the intervention of a Jury, unless at the time of filing the suit, plaintiff shall endorse upon the summons and complaint a demand for a jury trial or that the defendant or claimant at the time of filing the first pleading in the case or at the time of making his appearance shall demand a trial by jury in writing to be filed in the cause, and provided further that all criminal cases shall be tried without the intervention of a jury, unless a demand for a jury is endorsed upon the bond at the time of making the same or a demand in writing be filed in the cause within fifteen days after the arrest of the defendant.

Section 9. In all cause in the DeKalb County Superior Court brought by appeal or certiorari from Justices of the Peace Court, Mayors Court, Records Court, Probate Courts, or other inferior Courts, the issue and question of facts shall be tried by the Judge of the Court without the intervention of a jury unless a demand for a trial by jury be made in writing and filed in the cause by the party suing out the appeal or certiorari within five days after suing out the same or filed in the cause by the opposite party in all civil actions within five days after he has been served with notice of appeal or certiorari, unless said cause is sooner called for trial in which case the demand shall be made at the first call of said cause.

Section 10. That all cases in the Probate Court of DeKalb County, Alabama, wherein a will is sought to be probated, the filing of any contest shall automatically transfer the trial of such contest to the DeKalb County Superior Court and it shall be the duty of the Judge of Probate to deliver forthwith to the Clerk of said Court all papers

filed in said contest, and same shall stand for trial as any other civil case. That all notices shall be issued by the Clerk of said Court as are now required to be issued by the Judge of Probate in the contest of wills and the rules for the trying the same as provided for trials of civil cases as to the drawing and empaneling of a jury, provided, however, that either party desiring a jury trial may file a written demand therefor at any time within thirty days from the date of the filing of the cause in the DeKalb County Superior Court or at the time said cause is first called for trial, if called within said time. That the final judgment entry of said contest shall be certified by the clerk of said court to the Judge of Probate and by him recorded in the Probate Court minutes and acted upon as though it had been rendered in the Probate Court.

Section 11. That civil cases may be transferred from the DeKalb County Superior Court to the Circuit Court in Equity for the same reason and in the same manner and under the same rules and regulations as is now provided for the transfer of causes from the law side of the Circuit Court to the Equity side of said Court.

Section 12. The Supreme Court and Court of Appeals of this State shall have appellate and supervisory jurisdiction over said court and in the Judge thereof, which may be exercised in the same manner as such jurisdiction may be exercised over the Circuit court of the State, and the Judges thereof and appeals may be taken from the orders and judgments of said Court to the Supreme Court and Court of Appeals in the same manner and within the same time as appeals are now taken from the orders and judgments of the Circuit Courts of the State, except as may be otherwise provided for juvenile case and desertion and non-support cases.

Section 13. The Venue in any case in the said DeKalb County Superior Court shall be changed to any other county under the same orders and regulations as governed change of venue in the Circuit Court.

Section 14. That the Honorable W. G. Hawkins is hereby appointed Judge of said Court, and shall hold office as Judge of said Court until the second Tuesday after the First Monday in January, 1961, and until his successor shall be elected and qualified. A Judge of said Court shall be elected by the qualified electors of DeKalb County at the general election to be held in 1960, and each six years thereafter, and the term of the Judge of said Court shall commence on the second Tuesday after the first Monday in January following his election, and shall continue for a period of six years and until his successor shall be elected and qualified.

Section 15. Vacancies in the office of the Judge of said Court shall be filled by appointment by the Governor, and the person so appointed shall hold office as required by the Constitution of this State. Said Judge shall be removed from office in the same manner now provided by law for the removal of Circuit Judges. The Chief Justice of the Supreme Court of Alabama may, where he deems proper, by order spread on the minutes of the DeKalb County Superior Court, designate any Circuit Judge to hold said Court or to try any cause pending in said Court.

Section 16. That the Clerk of the Circuit Court of DeKalb County, shall be ex officio clerk of said Court and shall have the powers to discharge the duties which will devolve upon the clerk of the Circuit Court and shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees as are now or may hereafter be allowed to Circuit Clerks of Alabama and

the same shall be collected as such fees are collected in the Circuit Court, and the Deputy Clerk of the Circuit Court of DeKalb County shall be ex officio deputy clerk of the DeKalb County Superior Court and exercise the same powers and duties as are exercised in the Circuit Court by such deputy clerks.

Section 17 . That the Judge of said Court shall receive a salary of Six Thousand Dollars per annum, payable in equal monthly installments at the end of each month out of the county treasury, and said salary shall be a preferred claim against any funds in said treasury, superior to all other claims.

Section 18. That there shall be a Solicitor of the DeKalb County Superior Court who shall receive a salary of Forty-Eight Hundred Dollars per annum payable in equal monthly installments out of the County Treasury at the end of each month and all Solicitor's fees taxed and collected in said Court shall be paid into the county treasury of DeKalb County for the benefit of the general fund of said County. The Hon. J. A. Johnson is hereby appointed Solicitor the County treasury of DeKalb County for the benefit of the Solicitor of the DeKalb County Superior Court, and shall hold said office until the second Tuesday after the First Monday in January, 1959, and until his successor shall be elected and qualified. A Solicitor of said Court shall be elected at the General Election to be held in 1958, and each four years thereafter, and the term of the Solicitor shall be for four years, commencing on the second Tuesday after the First Monday in January following his election and until his successor is elected and qualified. It shall be the duty of the Solicitor of said Court to prosecute all criminal causes pending in said Court and to attend upon the Sessions of the Grand Jury of DeKalb County, Alabama, and to drawing of indictments and in assisting the Circuit Solicitor in the prosecution of criminal causes pending in the Circuit Court of DeKalb County when requested to do so by the Circuit Solicitor. There shall be no deputy solicitor in DeKalb County. Vacancies in the office of Solicitor of said County shall be filled by the Governor and such appointee shall hold said office for the unexpired term. The Solicitor of said court shall maintain an office at the Court House of DeKalb County, and it shall be the duty of the DeKalb County Commission or other like governing body of DeKalb County, Alabama, to provide such an office, and supply the same with the necessary furnishings, fixtures, stationery and supplies.

Section 19. The Solicitor of said Court shall be learned in the law and shall be licensed as an attorney at law and solicitor in chancery by the Supreme Court of Alabama, and shall devote his full time to the duties of his office and shall not during his term of office, engage in the private practice of law. The Solicitor shall be a qualified elector of DeKalb County, Alabama, and shall reside in DeKalb County during his term of office.

Section 20. That the said Court shall be held at the Court House of DeKalb County, Alabama and that said Court shall be open at all times for the trial of cases and the transaction of business. In case of sickness or disqualification of the Judge of said Court, the law applicable to the appointment and service of special judges in the Circuit Court shall apply. The Judge of the said Court shall be subject to the same penalty for failure to attend upon the Court as Circuit Judges of this State. The Judge of said Court shall keep an office at the Court House of DeKalb County, and it shall be the duty of the DeKalb County Commission or other like governing body of DeKalb County, Alabama, to provide such an office, and supply the same with the necessary furnishings, fixtures, stationery and supplies.

Section 21. The Judge of said Court may determine and fix the time of holding the sessions of said Court for the trial of all cases triable

in said Court; provided that the Judge of said Court shall at the beginning of each year, designate the time at which the sessions of said Court shall be held for a period of at least one year, by making and entering an order upon the minutes of said Court; provided that the Judge of said Court may call and hold special, extra or adjourned sessions of said Court when in his judgment it is necessary to do so.

Section 22. The Sheriff of DeKalb County shall, in person or by a deputy or deputies, appointed by him, said appointment to be approved by the Judge of the DeKalb County Superior Court, be required to attend upon said Court, and preserve order, and execute all writs or process and perform such other duties, in all respect as in the Circuit Courts of this State and or himself and each deputy required for attendance upon the sessions of the said Court, he shall receive the sum of \$5.00 per day, payable out of the County Treasury, upon his warrant, approved by the presiding Judge, provided that the Sheriff and his deputies shall not receive pay except for the times that the Court is actually in session, and none of which compensation to the deputies shall be shared in by the Sheriff.

Section 23. The Clerk shall have an official seal for said Court.

Section 24. The Judge of said Court shall appoint a competent shorthand reporter to perform the duties of official court reporter of said Court, who shall hold office at the pleasure of said Judge and who shall receive as compensation, a fee of Five Dollars for each criminal case in which a Conviction is had or a plea of guilty entered and said fee shall be collected by the Clerk and paid to the official court reporter appointed for said court, and in all civil cases where a money judgment is sought where the amount is more than one hundred dollars, a Court reporter's fee of Five Dollars shall be taxed as part of the cost and be collected by the Clerk and paid to the official Court reporter and in cases of less than one hundred dollars, there shall be a reporter's fee of Two Dollars and fifty cents, and in all civil cases where there is a default judgment there shall be a court reporter's fee of two dollars and fifty cents, all of such fees shall be taxed as part of the cost in such cases and collected by the Clerk and paid to the Court reporter, and the said reporter's fees shall be included in the Judgment entry by the Court. The said Court reporter shall have authority to administer oaths and shall be an officer of the Court and shall not be related to the Judge of said Court within the fifth degree.

Section 25. All laws pertaining to costs and fees in cases in the Circuit Courts as provided by the general laws of this State, both as to criminal and civil cases, shall be applicable to said Court except as herein otherwise provided. A trial tax of two dollars is imposed in each case, both criminal and civil, which is docketed in said Court to be taxed and collected as other costs in said court, and when collected to be paid into the County Treasury for the benefit of the general fund.

Section 26. The Judge of said Court shall be a qualified elector of DeKalb County, Alabama; and shall be learned in the law and shall be licensed as an attorney at law and Solicitor in chancery by the Supreme Court of Alabama, and shall devote his full time to the duties of Judge of said Court and shall not engage in the private practice of law.

Section 27. That there is hereby created a fine and forfeiture fund for the DeKalb County Superior Court of DeKalb County, Alabama, to be known as the DeKalb County Superior Court Fine and Forfeiture Fund, and all fines and forfeitures assessed and collected in said Court shall be deposited in said Fine and Forfeiture Fund of the DeKalb County Superior Court.

Section 28. Only claims accruing in the DeKalb County Superior Court will be valid claims against said fund and all claims now registered against the DeKalb County Fine and Forfeiture Fund as created by Act Number Seventeen, page 6 of the 1939 Local Acts of the Legislature of Alabama, be re-registered against the DeKalb County Superior Court Fine and Forfeiture Fund within six months after the passage and approval of this Act or else they will be barred against said fund.

Section 29. The Sheriff's and Clerk's claims originating in the DeKalb County Superior Court when registered shall be on a par with witnesses' claims against said fund, and all claims against said fund shall be paid upon certificate of the Clerk of the DeKalb County Superior Court stating that said claims have been properly registered and are legal claims against said fund, and the Clerk of the DeKalb County Superior Court shall be the Custodian of said Fine and Forfeiture Fund.

Section 30. That the Judge of the DeKalb County Superior Court may, in his discretion, disallow any part of the cost of the Clerk and Sheriff as a claim against the DeKalb County Superior Court Fine and Forfeiture Fund by so stating in the Judgment entry of the Court and should the said Judge not allow said cost as a claim against said fund, the Sheriff and Clerk are prohibited from filing said claim and should the clerk and sheriff file such claims, after the Judge has disallowed same, they shall be in contempt of Court and shall be punished as the Court in its discretion may determine as in other cases of contempt of court.

Section 31. That the Custodian of the DeKalb County Superior Court Fine and Forfeiture Fund shall receive for his services the sum of Two Hundred Dollars per annum, to be paid out of said fund by proper warrant drawn by the custodian on January 1, of each year.

Section 32. That should, at any time, the DeKalb County Superior Court Fine and Forfeiture Fund accumulate a sum in excess of Ten Thousand Dollars above the claims outstanding against said fund, said excess shall be paid over to the County Treasury of DeKalb County, Alabama for general County purposes by the Custodian of said Fund.

Section 33. That the DeKalb County Court of DeKalb County, Alabama as created by Act Number 179, pages 93 to 101 inclusive of the 1927 Local Acts of the Legislature of Alabama is hereby abolished from and after the passage of this Act and shall no longer exist and all cases pending in said DeKalb County Court of DeKalb County, Alabama, when this act becomes a law, shall immediately become pending upon the docket of the DeKalb County Superior Court, DeKalb County, Alabama, as though originally brought in said court and shall be called for trial as other cases in said Court.

Section 34. That the DeKalb County Fine and Forfeiture Fund, created by Act Number 17, page 6, of the 1939 Local Acts of the Alabama Legislature is hereby abolished from and after the passage of this Act and shall no longer exist and all funds accumulated in said DeKalb County Fine and Forfeiture Fund are hereby transferred to the DeKalb County Superior Court Fine and Forfeiture Fund and shall be administered as other funds in said Fine and Forfeiture Fund.

Section 35. The Custodian of the DeKalb County Superior Court Fine and Forfeiture Fund shall keep a Register of all claims filed against said fund and claims shall be paid in their order of registration and all claims shall be numbered and no claims shall be paid until registration and said register shall be open to public inspection.

Section 36. That if for any reason any section, provision or clause of this Act shall be held unconstitutional or invalid, that fact shall not

destroy the constitutionality of this Act except as to that clause or section.

Section 37. That all laws or parts of laws in conflict with this Act are hereby repealed.

Section 38. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
DEKALB COUNTY

Before me, W. M. Beck, a Notary Public at large for the State of Alabama, personally appeared Bobby R. Day, who being by me first duly sworn, deposes and says:

That he is publisher of the Fort Payne Journal, a newspaper published at Fort Payne, DeKalb County, Alabama, and that said Fort Payne Journal is a newspaper of general circulation in DeKalb County, Alabama, and that the notice of a local bill for DeKalb County to provide for a DeKalb County Superior Court, a copy of which is attached hereto, was published in said newspaper, the Fort Payne Journal, for four consecutive weeks, to-wit: In issues dated July 15, 1957, July 22, 1957, July 29, 1957 and August 5, 1957, and that each of said above issues was duly circulated among the subscribers of said newspaper, which said newspaper has been mailed under a second class mailing privilege of the United States Post Office where it is published for fifty-two consecutive weeks, prior to the publication of the above stated. I further certify that no part of the cost of advertising said local bill has been paid by the State of Alabama.

BOBBY R. DAY,
Publisher of the Fort Payne Journal.

Sworn to and subscribed before me this the 5th day of August, A. D., 1957.

W. M. BECK,
Notary Public.
State of Alabama at Large.

My Commission Expires February 7, 1959.

By Messrs. Flowers, Skidmore, Van Antwerp and Lamberth:

S. 473. To provide for the salary of the Attorney General.

Committee on Finance and Taxation.

By Mr. Flowers:

S. 474. To validate public corporations for hospital purposes attempted to be organized under Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as amended, where the governing body of a county has authorized the incorporation of such corporation but where the attempted incorporation is invalid because of some irregularity in the procedure for incorporation.

Committee on Public Health:

By Mr. Flowers:

S. 475. To amend Act No. 46 adopted at the 1949 Regular Session of the Legislature so as to authorize the amendment of the certificate of incorporation of any public hospital corporation, at any time organized under said act, for the purpose of changing the number of the members of its board of directors or making any other change in any such certificate of incorporation that is not inconsistent with the provisions

of said act; so as to provide the method of effecting any such amendment; so as to specify, in the event any such amendment shall reduce the number of the members of any such board of directors, the method for determining which members of any such board of directors shall continue to serve and which shall cease to serve, following such amendment; and so as to provide that the terms of office of any such board of directors shall thereafter be staggered so that the term of office of one-third of such directors shall expire at the end of each period of two years.

Committee on Public Health.

By Mr. Flowers:

S. 476. To provide that in any case where general obligation bonds of a county or a municipality have heretofore been or may hereafter be authorized at an election held pursuant to the provisions of Subdivision 1 of Article 2 of Chapter 6 of Title 37 of the Code of Alabama of 1940, as amended, and are issued and sold in series rather than as an entirety, it shall not be necessary for each series of such bonds to mature or be payable in the manner required by the applicable provisions of Section 255 of Title 37 of the Code of Alabama of 1940, as amended, so long as all such bonds so authorized taken together mature or are payable in the manner provided by the applicable provisions of said Section 255.

Committees on Municipalities and Municipal Organizations.

By Messrs. Cooper and Givhan:

S. 477. To provide expense allowance to circuit solicitors in judicial circuits composed of five or more counties in addition to those expenses now allowed by law.

Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 68. Relative to memorializing the Senate of the United States to be ever vigilant that the most highly valued of all the rights guaranteed by the Constitution of the people of this country, the right to trial by jury, shall never be infringed, and each and every member of that body is respectfully urged to continue to work to the end that this right will always be safe-guarded and no bill shall ever become law which seeks to abrogate or limit it.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following bill:

By Messrs. Hardy, Boyd, Thomas, Roberts, Brassell, McKay, Brannan, Nolen, Gist, Payne, Hall, Stembridge, Ashworth, Kelly, Adams (Tallapoosa), Callahan, Dement, Harvey, Nettles, Franklin, Kendall, Goodwyn, Brown (Lee), Vacca, Locke (Perry), Selman, Albea, Ferrell, deGraffenried, Haltom, Lee (Barbour), Reynolds, Hain, Martin, Steagall, Gilmer, Lee (Lawrence), Huddleston, Pirkle, Oakley, Ramey, Hawkins, Wood, Bradford, Brooks, McNider, Simon, Tyson,

Branyon, Shumate, Holliman, Kirkham, Harrison, Perry, Bassett, Killough, Locke (Choctaw), Grouby, Hodges, Adams (Jefferson), Edwards (Jefferson), Taylor, Crook, McLendon, Rodgers, Speaks and Cornett:

H. 629. TO PROTECT THE INTEREST OF THE PUBLIC WITH RESPECT TO INSURANCE AGENTS, SOLICITORS AND BROKERS: TO REGULATE THE CONDUCT OF THE BUSINESS OF INSURANCE AGENTS, SOLICITORS AND BROKERS: TO PROVIDE FOR THE POWERS AND DUTIES OF THE SUPERINTENDENT OF INSURANCE WITH RESPECT THERETO: TO PROVIDE FOR THE EXAMINING AND LICENSING OF INSURANCE AGENTS, SOLICITORS AND BROKERS: TO PROVIDE FOR THE ADMINISTRATION OF THIS ACT: TO PROVIDE FOR THE DENIAL, REVOCATION OR SUSPENSION OF LICENSES UNDER THIS ACT: TO PROVIDE FOR PENALTIES FOR THE VIOLATION OF ANY PROVISION OF THIS ACT: TO PROVIDE FOR JUDICIAL REVIEW OF THE ACTS OF THE SUPERINTENDENT OF INSURANCE WITH RESPECT TO THE ADMINISTRATION OF THE PROVISIONS OF THIS ACT: TO REPEAL ALL LAWS OR PARTS OF LAWS IN CONFLICT THEREWITH:

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 629. To the Committee on Insurance.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 37. Relating to Walker County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Newton, the Senate concurred in and adopted the following House Amendment to the bill, S. B. 37, the title of which is set out in the foregoing Message from the House:

AMENDMENT TO S. B. 37

Amend Section 1 of S. B. 37 in the following manner:

Strike out the words and figures "six thousand dollars (\$6,000)" in subsection (a) and insert in lieu thereof the words and figures "eight thousand dollars (\$8,000.00)."

Strike out the words and figures "five thousand dollars (\$5,000)" in subsection (b) and insert in lieu thereof the words and figures "seven thousand five hundred dollars (\$7,500)."

Strike out the words and figures "five thousand dollars (\$5,000)" in subsection (c) and insert in lieu thereof the words and figures "seven thousand two hundred dollars (\$7,200)."

Strike out the words and figures "five thousand dollars (\$5,000) in subsection (d) and insert in lieu thereof the words and figures "seven thousand two hundred dollars (\$7,200)."

Strike out the words and figures "four thousand dollars (\$4,000)" in subsection (e) and insert in lieu thereof the words and figures "six thousand six hundred dollars (\$6,600)."

Strike out the words and figures "three thousand six hundred dollars (\$3,600)" in subsection (f) and insert in lieu thereof the words and figures "four thousand eight hundred dollars (\$4,800)."

Also, in Section 2 of the bill:

Strike out the words and figures "Eight thousand dollars (\$8,000) annually;" in subsection (a) and insert in lieu thereof the words and figures "Fifteen thousand dollars (\$15,000) annually;"

Strike out the words and figures "Ten thousand dollars (\$10,000) annually;" in subsection (b) and insert in lieu thereof the following: "Three thousand six hundred dollars (\$3,600) annually, for clerical assistants, which clerks shall be in addition to all deputies, bailiffs, and jailers now provided by law;"

Strike out the words and figures "Four thousand dollars (\$4,000) annually;" in subsection (c) and insert in lieu thereof the words and figures "Seven thousand two hundred dollars (\$7,200) annually;"

Strike out the words and figures "Two thousand four hundred dollars (\$2,400) annually;" in subsection (d) and insert in lieu thereof the words and figures "Five thousand four hundred dollars (\$5,400) annually;"

Strike out the words and figures "Two thousand four hundred dollars (\$2,400) annually;" in subsection (e) and insert in lieu thereof the words and figures "Five thousand four hundred dollars (\$5,400) annually;"

Add subsection (f) to Section 2 as follows: "(f) Office of the register of the circuit court: Two thousand four hundred dollars (\$2,400) annually."

Also, in Section 4 of the bill, change the period at the end of the section to a comma and add the following: "and the gasoline, oil, and repairs necessary for the operation thereof."

Also, strike out Section 7 of the bill in its entirety and insert the following in lieu thereof:

"Section 7. This Act shall become effective as to each officer named herein upon the expiration of the term of the incumbent of the office, provided that there is adopted an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of courts in Walker County, and the method of disbursement thereof, and to fix, alter, and regulate the costs, charges, fees, commissions, percentages, allowances, or salaries of, and the method of compensating, the judge of probate, sheriff, tax assessor, tax collector, circuit clerk, and register of the circuit court of Walker County;

and provided, further, that in the election on such amendment, the amendment receives the favorable vote of a majority of the qualified electors of Walker County voting thereon."

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Newton	Tate
Allen	Hall	Reeves	Van Antwerp
Boutwell	James	Roberts	Vann
Bradford	Jones	Robison	Yarbrough (Autauga)
Calvin	Metcalf	Shelton	Yarbrough (Randolph)
Cantrell	Moses		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 36. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Newton, the Senate concurred in and adopted the following House Amendment to the bill, S. B. 36, the title of which is set out in the foregoing Message from the House.

SUBSTITUTE FOR S. B. 36

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment of the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor.

AMENDMENT

"The Legislature may, from time to time, by general or local laws, fix, alter, and regulate the costs and charges of courts in Walker County, and the method of disbursement thereof. Also, the Legislature may, from time to time, by general or local laws, fix, alter, and regulate the costs, charges, fees, commissions, percentages, allowances, and compensation to be charged or received by the judge of probate, sheriff, circuit clerk, register of the circuit court, tax assessor, and tax collector of Walker County, or any other county officer on a fee basis, and may place

any of such officers on a salary, and provide that the costs, charges, fees, commissions, percentages, and allowances collected by such officers shall be paid into the county treasury from which their salaries and office expenses shall be paid."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Givhan	Newton	Skidmore
Allen	Goodwin	Reeves	Van Antwerp
Boutwell	Grisham	Roberts	Vann
Bradford	Hall	Robison	Yarbrough (Autauga)
Calvin	James	Shelton	Yarbrough (Randolph)
Flowers	Jones		—21

Nays:

—0

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Corrections of Alabama.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

AUGUST 6, 1957.

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, the following as a member of the Board of Corrections of Alabama:

H. J. Littrell, Athens, for a term of ten years, said term expiring July 17, 1967.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Grisham, the Rules were suspended and the Senate confirmed the appointment of Mr. H. J. Littrell, as a member of the Board of Corrections, which said appointment is set out in the foregoing Message from His Excellency, The Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 666. To fix the supplemental salary of the Deputy Circuit Solicitors of the Fifteenth Judicial Circuit of Alabama to provide that said supplemental salaries shall be paid out of the general fund of Montgomery County, Alabama, and to provide when said act shall go into effect.

Also:

H. 668. Further regulating the terms of service and compensation of the members of boards of equalization in counties having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census.

Also:

H. 667. To amend Section 1 of Act No. 403, S. 504, approved August 15, 1951 (Acts of Alabama, 1951, p. 725), which authorizes all cities in the State of Alabama having a population exceeding 78,000 and not exceeding 125,000 inhabitants to enact ordinances to establish and maintain a general system of pensions and retirements for the benefit of their employees.

Also:

H. 737. Relating to counties having a population of less than 11,800, according to the last or any subsequent federal decennial census; providing for the division of such counties into districts; providing for the election of one member of the governing body of each such county from each of such districts; prescribing the powers and duties of the governing bodies of such counties, and the qualifications, terms of office, compensation, and manner of election of the members thereof; and excepting the judge of probate or other chairman of the governing body of each such county from the operation of the Act.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 219. To amend Sections 1 and 6 of an Act entitled "Establishing a system of diversified prison industries to be operated with the use of prisoners of the State; providing for the classification and training of prisoners employed in prison industries; providing for the requisitioning, purchase, and supply of prison products for the use and consumption of tax supported institutions, departments, boards, commissions and other agencies of the State; providing for the purchase of supplies, materials and equipment required for the operation of prison industries; establishing a revolving fund for the operation of prison industries; and providing penalties for violations of this Act," approved August 31, 1953.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 77. Directing the Secretary of State and other officers of State agencies who have documents connected with the Bank of the State of Alabama to transmit the same forthwith to the Director of the Department of Archives and History.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 32. To authorize the Director of Conservation to enter into agreements of reciprocity with Conservation Commissioners and other proper officials of adjoining states concerning the catching or taking of fish. To provide a license tax for non-resident fishermen or citizens of adjoining states which have a reciprocal agreement with Alabama.

Also:

H. 85. To amend Section 29 of an act known as the "Alabama Coal Mine Safety Law of 1949" (Act No. 207, S. 134, Acts of Alabama, Regular Session 1949, p. 242), to provide for the use of millisecond blasting in conformity with the requirements prescribed by the Bureau of Mines of the United States Department of the Interior.

Also:

H. 120. To authorize service of certain notices, subpoenas, citations and other writings by certified mail in lieu of service thereof by registered mail in counties having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent federal decennial census.

Also:

H. 125. To fix the supplemental salaries of circuit judges in circuits composed of one county and having not less than four nor more than nine circuit judges; and to repeal Act No. 21, H. 74, approved May 26, 1955.

Also:

H. 170. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County, Alabama.

Also:

H. 271. An act relating to larceny of goods held for sale; providing that detaining a person under suspicion by a Peace Officer, Merchant, or Merchant's Employee, shall not render Merchant, Merchant's Employee, or Peace Officer criminally or civilly liable for false arrest, false imprisonment or unlawful detention; providing for arrest without a warrant by a Peace Officer upon probable cause, and exempting merchants or their employees from civil or criminal liability where probable cause exists to believe a person committed larceny of goods held for sale.

Also:

H. 408. To amend Section 6 of an act approved June 30, 1955, entitled "An Act To create a Hospital Board in all counties of this state having a population of not less than 225,000 nor more than 400,000 inhabitants, according to the last or any subsequent Federal decennial census, provide for the appointment of the members of said Board, their terms of office and compensation, to require said counties and all municipalities located within said counties to make payments to said Hospital Board to aid in the operation of a hospital in said counties and to provide care for charity patients, to require said Hospital Board to operate a hospital in said counties and to prescribe the powers and duties of said Hospital Board, and to provide for meetings of said Board and a fiscal year for the operations of said Hospital Board" (Act No. 105, S. 152, Acts of Alabama, 1955, Vol. I, p. 350).

Also:

H. 432. To amend further Section 257 of Title 13, Code of Alabama (1940), which fixes the compensation of deputy solicitors in certain counties, by providing for the compensation of the deputy solicitor of Winston County.

Also:

H. 448. Relating to Dallas County: To create and establish in Dallas County a court to be known as the "Dallas County Court"; defining its jurisdiction; providing it with officers, defining their powers, duties, compensation, term of office, and the manner of their selection, appointment and election; regulating its procedure and process; prescribing costs and fees therein; taking criminal jurisdiction away from justice of the peace courts in the county; and providing for the transfer of cases pending in justice of the peace courts at the time this Act takes effect to the court hereby created and the trial of such cases in this court.

Also:

H. 449. To repeal Act No. 25, S. 39, approved September 17, 1932 (Local Acts of Alabama 1932, Extra Session, p. 7), entitled "An Act To establish an inferior court in Precinct 36 in Dallas County, Alabama, in lieu of all justices of the Peace, and notaries public with powers of justices of the peace, in said precinct, to be known as 'The Court of Common Pleas of Selma,' and to define the jurisdiction and powers of said court, and the powers, disabilities and duties of the judge thereof; to provide for the execution of the process of said court, the issuance of certificates of judgment and the operation thereof; to regulate the procedure in said court, and the appeals therefrom; to provide for the appointment or election of the judge of said court; to fix the qualifications and compensation of said judge and the mode of his election; and term of office; to provide for the payment of the salary of the judge and the expenses of said court; to abolish the office of justice of peace and notary public with powers of justice of the peace in said precinct; to provide for the transfer to said court of all causes pending in the justice of the peace courts in said precinct; to provide that the judge of said court may practice law; to provide for the payment of salaries of the Sheriff and Deputy Solicitor of said County for services rendered said Court; and to fix the costs and fees, and provide for the disposition of costs, fees, fines and forfeitures in said Court."

Also:

H. 450. To propose an amendment to the Constitution of Alabama relating to the fees, commissions, percentages, allowances, and compensation of certain officers of Dallas County.

Also:

H. 510. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1957.

Also:

H. 560. Relating to Bullock County: To authorize and empower the county board of education of Bullock County to remove or terminate the contract of employment of any teacher in the public school system at any time such action is deemed necessary to promote the best interest of the schools under its jurisdiction; repealing conflicting laws.

Also:

H. 566. To fix the compensation of members of the court of county commissioners, board of revenue or like governing body of all counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census.

Also:

H. 567. Relating to the municipality of Enterprise in Coffee County: To alter, rearrange, and extend the boundaries and corporate limits of the municipality of Enterprise, exempting annexed farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Also:

H. 573. To amend Section 5 of an act entitled "Relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County; providing that such roads and bridges shall be constructed, maintained and repaired by the State Highway Department

and relieving the county and the officials thereof, of certain duties in regard thereto; providing for the transfer by the county and its officials to the State Highway Department of certain funds, including Cherokee County's proportionate share of the State gasoline tax, State motor vehicle license tax allocated to the county, supplies, equipment, machinery and materials for the construction, maintenance and repair of county roads and bridges; and repealing conflicting laws," approved August 23, 1955, being Act No. 261.

Also:

H. 575. Relating to Geneva County; authorizing and requiring the court of county commissioners, board of revenue or like governing body of said county to provide clerk-hire allowances for certain county officers.

Also:

H. 576. To fix the compensation of certain officers of Houston County; repealing conflicting laws.

Also:

H. 577. To amend Act No. 268, H. 776, approved August 23, 1955, entitled "An Act to designate by number the various places upon the City Council of the City of Scottsboro, Alabama, fix their terms of office and provide for their election."

Also:

H. 578. To amend Act No. 453, H. 844, approved September 9th, 1955, entitled "An Act Relating to Jackson County; authorizing the sheriff to appoint three additional deputies; providing for the qualifications, compensation, powers and duties of such deputies; authorizing the court of county commissioners, board of revenue, or other like governing body of Jackson County to pay to the sheriff of the county an allowance to defray the operational and maintenance cost of transportation incurred by such deputies in the performance of their official duties; and repealing conflicting laws." (Acts of Alabama, 1955, p. 1039).

Also:

H. 585. Making an appropriation from the treasury of Lawrence County for the relief of W. A. Pullen to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Also:

H. 586. Making an appropriation from the treasury of Lawrence County for the relief of J. B. Byars to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Also:

H. 587. Making an appropriation from the treasury of Lawrence County for the relief of W. L. Hill to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Also:

H. 588. Making an appropriation from the treasury of Lawrence County for the relief of Silas Nix to compensate him for damages incurred under such circumstances that the county is morally and justly obligated to him but has no legal authority to pay such damages.

Also:

H. 591. Relating to Marengo County: To fix the compensation of the members of the County Board of Education of Marengo County, Alabama.

Also:

H. 594. To amend Act No. 40, S. 4, approved March 23, 1956 (Acts of Alabama, 1956, p. 328), entitled "An Act To establish and create a court of record for Mobile County in lieu of the Inferior Criminal Court of Mobile County to be known as The Court of General Sessions of Mobile County; to provide and define the jurisdiction of said court and the terms thereof; to provide for the two judges and the officers of said court and their powers, duties and compensation, to fix the term of office of such judges; to provide rules of procedure and to fix the fees and costs of such court; to provide for the transfer of cases from the Inferior Criminal Court to the court hereby created; and to effect the repeal of the acts creating the Inferior Criminal Court of Mobile or to abolish the Inferior Criminal Court of Mobile County."

Also:

H. 595. To regulate primary and general elections of Judges of The Court of General Sessions of Mobile County.

Also:

H. 597. For the relief of Joseph L. Morrison, by the payment to him of the sum of \$250.00 to enable him to pay the expense or cost to him of the services of a private physician in the treatment of him for injuries sustained on or about December 10, 1954 while in the employ of Mobile County and then and there engaged in the line and scope of his employment with Mobile County; to provide that said sum shall be payable by Mobile County from its General Funds and that this act shall be effective immediately upon its becoming a law.

Also:

H. 598. To provide for the appointment of bailiffs by the judges of the Court of General Sessions of Mobile County, to fix their compensation and to provide for the payment thereof.

Also:

H. 599. Providing for an Administrative Assistant in any county having a population of 113,500 and not more than 140,000 according to the federal census of 1940, fixing the qualifications, compensation and duties of such administrative assistant.

Also:

H. 600. To implement the provisions of Amendment CVI of the Constitution of Alabama, relative to the authority of school districts in Morgan County to levy additional taxes for public school purposes; to authorize the court of county commissioners, board of revenue or like governing body of Morgan County to levy special taxes in and for any school district within the county when such levy is approved at a district election held for such purpose; to provide for the ordering and holding of such elections; and to provide for the assessment, collection and enforcement of such taxes, and for the use of the proceeds thereof.

Also:

H. 607. To provide further for establishing a national military park at Horseshoe Bend in Tallapoosa County; authorizing the governing

body of said county to take certain actions regarding the acquisition and use of land deemed necessary or desirable to be preserved as a part of said park.

Also:

H. 608. To propose an amendment to the Constitution of Alabama relating to the levy and collection of additional property taxes in the several school districts in Tallapoosa County.

Also:

H. 612. Relating to counties having a population of not less than 29,500 nor more than 30,500, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of every such county to provide the circuit clerk of the county an allowance for clerk hire.

Also:

H. 623. To authorize the governing body of any city or town in any county in Alabama, having a population of more than 225,000 but not more than 500,000 inhabitants according to the last or any subsequent federal decennial census, to abandon certain parks, and providing for the vesting of title to the lands forming such park after such abandonment.

Also:

H. 626. Relating to Choctaw County: To amend Section 4 of Act No. 660, General & Local Acts of 1951, approved September 4, 1951, relating to the Inferior Court of Choctaw County.

Also:

H. 628. To amend an act approved August 26, 1953, entitled "An Act Relating to Cullman County; fixing the compensation of the coroner" (Act No. 374, H. 736, Acts of Alabama, Regular Session, 1953, Vol. I, p. 446).

Also:

H. 630. To require a license for each person, firm, corporation, dealer or agent selling, offering to sell, or soliciting orders for the sale of furniture, household goods and appliances to ultimate consumers who do not maintain a regular established place of business in DeKalb County, Alabama, for the sale of such furniture and provide for the collection of said license, and to provide a penalty for failure to take out said license and to provide that the Probate Judge issue said license and to provide that the money collected from said license to be paid into the General Fund of DeKalb County, Alabama, for general purposes.

Also:

H. 631. To amend retrospectively Section 22 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, relating to cities having a population of two hundred and fifty thousand inhabitants according to the last or any succeeding federal census.

Also:

H. 632. To amend retrospectively Section 9 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts 1951, Page 1579).

Also:

H. 634. Relating to Lawrence County; regulating further the times and places of registering voters by the board of registrars.

Also:

H. 635. Relating to Lawrence County, fixing the time of meeting of the county board of equalization to review, revise, correct and fix the assessment values as set by the tax assessor; repealing conflicting laws.

Also:

H. 638. To extend the corporate limit lines of the City of Guntersville, Alabama, and to provide when said Act will take effect.

Also:

H. 639. Relating to Mobile County: To fix the compensation of the register of the circuit court of Mobile County.

Also:

H. 640. To amend the title and Sections 6 and 9 of Act No. 31 adopted at the Second Special Session of the Legislature of Alabama of 1956, which act is applicable to any county having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent federal census, so as to provide for the issuance of general obligation warrants of such counties in amounts which, when added to the amount of the special recording fees provided for in said Act No. 31 on hand for such purpose remaining after creating a special fund as a reserve or cushion for the benefit of such warrants, will be sufficient to pay the costs of installation of the improved indexing and recording provided for in said act, and so as to provide that such warrants and any interest coupons applicable thereto shall evidence claims for office supplies for offices of Probate Judges within the meaning of Subsection 3 of Section 121 of Title 12 of the Code of Alabama of 1940, as amended, and so as to provide that issuance of such warrants and coupons shall constitute audit and allowance of such claims and that said claims need not be proved or registered.

Also:

H. 641. Applying in counties having a population of not less than 225,000 nor more than 525,000 inhabitants according to the last or any subsequent Federal census; providing for the method of acknowledging full or partial satisfaction of any recorded mortgage or other lien in the records of the office of the Judge of Probate of such county.

Also:

H. 642. Relating to Mobile County: To fix the compensation of the clerk of the circuit court of Mobile County.

Also:

H. 646. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Register of the Circuit Court of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 461, H. 885, Local Acts of 1947, p. 323).

Also:

H. 647. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Circuit Clerk of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 460, H. 884, Local Acts of 1947, p. 322).

Also:

H. 648. To amend Section 27 of an act approved March 15, 1911, entitled "An Act to provide for the better construction, repairing, working and maintaining of public roads and bridges in Talladega County, Alabama" (Act No. 118, S. 203, Local Acts of 1911, p. 113).

Also:

H. 649. To amend Section 1 of an act approved September 25, 1947, entitled "An Act to change the method of compensating the Sheriff of Talladega County, placing such officer on a salary, and providing for clerical assistance and office space for him" (Act No. 462, H. 886, Local Acts of 1947, p. 324).

Also:

H. 665. To prescribe a rule of procedure in the circuit court of any county in the Twenty-fifth Judicial Circuit of Alabama relative to the joinder of necessary parties.

Also:

H. 671. To authorize the governing body of Washington County, Alabama to pay the sum of Seven Hundred and Fifty Dollars (\$750.00) out of the gasoline tax fund, road and bridge fund or any other fund in the county treasury not otherwise appropriated to reimburse Mrs. Mary K. Martin for medical and other expenses in connection with the death of Mary Anna Martin, who died as a result of an automobile accident in a public road in Washington County, Alabama.

Also:

H. 673. To abolish the City Court of Jasper established by an Act approved March 29th, 1911, and to create and establish in lieu thereof, and in lieu of all justices of the peace and notaries public with powers of justices of the peace, in Precinct One of Walker County, an inferior court to be known as the Court of Common Pleas of Walker County; defining the jurisdiction and powers of said Court and the Judge thereof; providing for officers of said Court and for their compensation.

Also:

H. 678. To provide for the payment of expenses incurred by members of the court of county commissioners, board of revenue, or like governing body of Choctaw County which are incurred in the performance of their duties.

Also:

H. 682. Relating to the registration of voters in counties having a population of not less than 26,000 nor more than 26,600, according to the last or any subsequent federal decennial census; relieving the members of the boards of registrars in such counties of the duty of visiting precincts or voting places in the performance of their official duties.

Also:

H. 684. Regulating through licensure the occupation of plumbing in Colbert County, Alabama; creating a board of plumbers examination and registration in such county for the purpose of examining and licensing master plumbers and journeyman plumbers; providing for the appointment and term of office of members of such board and prescribing the organization, powers and duties of the board; fixing standards for master and journeyman plumbers and prescribing examination and certification fees and authorizing their collection and disbursement; authorizing the

revocation and renewal of such certifications and prescribing the procedures therefor; and providing penalties for violations of this Act.

Also:

H. 685. Relating to Colbert County: To authorize the board of revenue, court of county commisisoners, or like governing body of Colbert County to call an election in the county for the purpose of determining whether or not the county governing body may levy an additional county privilege or excise tax on tobacco and certain tobacco products; prescribing the power, duties, and authority of the county governing body in the collection and enforcement of the tax, if imposed; prescribing the method or manner of evidencing the payment of the tax, if imposed through the use of stamps, and allowing a discount for handling tobacco tax stamps; providing that the proceeds of the tax, if imposed, shall be used exclusively for the purpose of acquiring, constructing, equipping, enlarging, improving, maintaining, and operating a public hospital in the county; and prescribing penalties for violations of the Act.

Also:

H. 686. Proposing an amendment to the Constitution relating to the compensation of certain officers of Colbert County.

Also:

H. 687. To propose an amendment to the Constitution of Alabama relative to the industrial development of Bullock County.

Also:

H. 688. Relating to Elmore County: To provide for a Clerk in the office of the Clerk of the Circuit Court of Elmore County, Alabama; to fix the method and basis of such clerk's employment and compensation, and to designate the fund from which payable; to repeal all laws in conflict herewith; to provide that the partial invalidity of this Act shall not affect the remainder thereof; and to fix the time when this Act shall become effective.

Also:

H. 689. Relating to Elmore County: Authorizing and directing the Court of County Commissioners of the County of Elmore to pay to James E. Johnson the sum of One Hundred Fifty (\$150.00) Dollars out of the general fund of Elmore County, Alabama.

Also:

H. 695. An Act to amend Sections 2, 3, and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate retirement and relief system for certain of the presently active employees of the city of Birmingham who entered the service of the police department of said city prior to September 19, 1939, and to whom is applicable the pension and relief system provided by Act No. 502 of the regular session of the legislature of 1923, as reenacted and amended: To include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Also:

H. 696. Relating to the municipality of the City of Graysville in Jefferson County: To alter, rearrange, and extend the boundaries and corporate limits of the City of Graysville.

Also:

H. 698. To alter, rearrange, extend, and establish the boundary lines and corporate limits of the Town of Linden, Marengo County, Alabama.

Also:

H. 699. Proposing an amendment to the Constitution relating to Marion County.

Also:

H. 700. Proposing an amendment to the Constitution relating to Marion County.

Also:

H. 704. To regulate further the office of the Judge of Probate of Mobile County; authorizing and empowering the Judge of Probate to create and establish divisions for the performance and function of duties of his office, to assign functions and duties to such divisions and to delegate certain powers to the Chiefs of such divisions; which act appears in Acts of Alabama of 1955 at pages 335 and 336, approved June 28, 1955.

Also:

H. 722. To amend Section 3 of Act No. 56 of the Regular Session of the Legislature of Alabama of 1953, approved June 3, 1953 (Acts of Alabama Regular Session 1953, Page 76), being an Act levying additional privilege or license taxes in Tuscaloosa County; making such taxes applicable to certain public corporations or institutions.

Also:

H. 723. To apply in all counties of this State having a population of not less than 94,000 and not more than 134,000 according to the latest or any subsequent Federal decennial census, and to further regulate the number of meetings allowed to be held by the County Board of Education in such counties.

Also:

H. 725. Providing for the payment of the automobile expenses of coroners in counties having a population of not less than 94,000 nor more than 134,000, according to the last or any subsequent federal decennial census.

Also:

H. 726. To amend further Section 4 of an act approved August 3, 1927 (Act No. 228, H. 707, Local Acts of Alabama, 1927, p. 130), an act which established the Inferior Court of Tuscaloosa County, Alabama.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the Hoouse.

RECESS

At 1:05 P. M., on motion of Mr. Davis (Pickens), the Senate took a recess until 3 o'clock this afternoon.

AFTERNOON SESSION
 TWENTY-SIXTH LEGISLATIVE DAY

TUESDAY, AUGUST 6, 1957

The Senate reassembled at 3:00 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Cooper	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—34

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Messrs. Kendall, Haltom and Steagall:

H. J. R. 76. Relative to the Judiciary Advisory Council and the Commission for Judicial Reform.

WHEREAS, at the 1955 Regular Session of the Legislature a joint resolution was adopted providing for the creation of a Judiciary Advisory Council for the study of existing practice and procedure in the courts of this State and other states, for the purpose of making improvements in the practice and procedure in the courts of Alabama; and

WHEREAS, said Council was authorized to appoint members of the Bench and Bar to serve on a commission to be known as the Commission for Judicial Reform to assist it in making a study of the practice and procedure in the courts of Alabama and make recommendations to the Judiciary Advisory Council; and

WHEREAS the Judiciary Advisory Council and the Commission for Judicial Reform created pursuant to the authority contained in the said joint resolution, H. J. R. 35, adopted at the 1955 Regular Session, were continued in existence under the authority of H. J. R. 9, approved February 7, 1956, with the same powers and duties, and were instructed to complete their work and make their final report on or before the tenth legislative day of the 1957 Regular Session of the Legislature; and

WHEREAS said Judiciary Advisory Council and said Commission for Judicial Reform have continued their work under said H. J. R. 9 approved February 7, 1956, and have incurred pecuniary liabilities in excess of the amount stipulated in said H. J. R. in order to complete said work within the time fixed by said resolution; and

WHEREAS the Judiciary Advisory Council and the Commission for Judicial Reform have completed the study of the pleading and practice of the courts of Alabama and have reported their recommendations to the Legislature and to the State of Alabama in printed form for the further attention and consideration of the Legislature; and

WHEREAS the action of the Judiciary Advisory Council, consisting of Lieutenant Governor W. Guy Hardwick, the Speaker of the House, Honorable Rankin Fite, Honorable N. S. Hare, Chairman, Senators E. W. Skidmore and Neil Metcalf, and Representatives E. B. Haltom, Jr., and Henry B. Steagall, II, was in the best interest of the State in completing the work within the time stipulated by said resolution, even though additional expenses and liabilities were incurred; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That all expenses incurred by the Judiciary Advisory Council as a result of the continuation of its work pursuant to H. J. R. 9, approved February 7, 1956, shall be paid, on order of the chairman of said Council, out of any funds appropriated for the payment of expenses for any legislative sessions, provided that the amount so expended shall not exceed \$10,500.00 dollars in addition to the amounts heretofore authorized.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The Resolution, H. J. R. 76, set out in the foregoing Message from the House, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 385. Relating to Escambia County: To increase the compensation of deputies sheriff of such county, and providing for the payment thereof.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 117. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 384. To provide for an additional deputy sheriff for Escambia County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 572. Relating to Etowah County; to require employers of more than one hundred persons on an hourly wage basis to pay his employees their wages not later than on Friday of each week; prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President:

Your Standing Committee on Enrolled Bills begs leave to report that said Committee, in session, has compared the following enrolled Senate Bills and Senate Joint Resolution with the original Senate Bills and Senate Joint Resolution, respectively, and finds same correctly enrolled, to-wit:

S. 36. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of certain officers of Walker County.

Also:

S. 37. Relating to Walker County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Also:

S. J. R. 68. Noting recent action of the U. S. Senate in the adoption of a trial by jury amendment to the pending civil rights bill; memorializing that body to continue to safeguard such right.

A. C. SHELTON,
Chairman.

SIGNING OF BILLS AND SENATE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills and Senate Joint Resolution; the titles of which are set out in the foregoing report from the Committee on Enrolled Bills.

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Van Antwerp:

S. 478. To amend further Act No. 370, S. 439, approved August 21, 1953 (Acts of Alabama, 1953, Vol. I, p. 439), which relates to the powers of the governing bodies of municipalities in any county having a population of more than 225,000 and less than 500,000 inhabitants, according to the last or any future federal census, with respect to the appointment, suspension and discharge of the chief of police of such municipalities.

Committee on Local Legislation.

By Messrs. Metcalf, Leonard, Newton, Cantrell, Lamberth, Allen, Roberts and Flowers:

S. 479. To provide further for the regulation of Securities in Alabama; to abolish the office of Securities Commissioner, and in lieu thereof to create The Alabama Securities Commission; to designate the members of the Commission; to prescribe the powers, duties, authority, and responsibilities of the Commission; to vest the authority, functions, funds, effects, and personnel of the Office of Securities Commissioner in the Alabama Securities Commission; to provide for an Executive Secretary for the Alabama Securities Commission; to provide for the employment by the Commission of necessary technical and clerical assistance; and to provide for office space for the Commission; and to prescribe penalties and to repeal conflicting laws.

Committee on Finance and Taxation.

By Mr. Skidmore:

S. 480. To fix the supplemental salaries of Circuit Judges in Judicial Circuits in Alabama composed of one county where the population of such county exceeds 94,000 people and is less than 134,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

Committee on Local Legislation.

By Mr. Skidmore:

S. 481. To provide for the administrative organization of the State Military Department.

Committee on Military.

By Mr. Roberts:

S. 482. Relating to municipalities having a population of not less than 50,000 nor more than 100,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such municipalities; and providing for the creation of an automobile parking agency in and for each of such municipalities.

Committee on Local Legislation.

By Mr. Boutwell:

S. 483. To amend Section 361 of Title 17 of the Code of Alabama, 1940, as amended by Act No. 42 of the Second Special Session of the Legislature of Alabama of 1956 (Act No. 42 Special Session of 1956, page 336) approved March 23, 1956, which relates to "single shot ballots."

Committee on Local Legislation.

By Mr. Boutwell:

S. 484. To amend further Section 173 of Title 13, Code of Alabama (1940), which relates to civil cases, when tried; chief justice appoints additional judges.

Committee on Local Legislation.

By Messrs. Cantrell and Metcalf:

S. 485. To authorize each county in this state, in which voting machines may now or hereafter be authorized or required to be used in the conduct of elections, to sell and issue from time to time interest bearing warrants or certificates of indebtedness of such county for the purpose of acquiring or providing voting machines for the conduct of elections in such county; authorizing each such county to pledge and use, for payment of the principal of and interest on such warrants and certificates, so much as may be necessary for such purpose of the $\frac{1}{2}$ of 1% ad valorem tax which such county is now authorized to levy without reference to its purpose, and specifying the effect and priority of any such pledge; and authorizing the refunding of such warrants and certificates.

Committee on Finance and Taxation.

By Mr. Boutwell:

S. 486. To create in any county in this State having a population of 500,000 or more according to the last or any subsequent Federal decennial census, a domestic relations division of the circuit court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority, and compensation; regulating its procedure; abolishing the office of judge of the juvenile court, or juvenile and domestic relations court in any such counties; and providing that the judge of the domestic relations division of the circuit shall be ex officio judge of the juvenile court, or the juvenile and domestic relations court in any such counties.

Committee on Finance and Taxation.

REPORTS OF COMMITTEES

Mr. Skidmore, Chairman of the Standing Committee on Constitution and Constitutional Revision and Amendments, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Flowers, Little Lamberth, Yarbrough (Randolph), Skidmore, Allen, Moses, Reeves, Boutwell, Cantrell, Grisham, Leonard, Calvin, Smith, Bradford, Robison, Eddins, Cooper, Goodwin and Van Antwerp:

S. 151. Proposing an amendment to the Constitution of Alabama, to authorize the use of a portion of the proceeds derived from the levy of certain special county taxes for the purpose of providing hospital care and treatment for certain indigent residents of the county.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Roberts, Robison and Flowers:

S. 198. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Givhan, Vann, Cooper, Smith and Calvin:

S. 412. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four mil-

lion five hundred thousand dollars (\$4,500,000) in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at The Alabama Polytechnic Institute at Auburn.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Haltom et al:

H. 252. To propose and to provide for the submission of an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement along navigable waterways within the State by way of docks and other facilities, in aid of commerce and use of waterways of the State, and authorizing the State to become indebted for not exceeding \$10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Tyson et al:

H. 299. To propose and provide for an amendment to the Constitution of Alabama of 1901 providing that obligations hereafter incurred and securities hereafter issued by a municipality having a population of less than 6,000 inhabitants for the purpose of acquiring, providing or constructing sanitary or storm water sewers, street or sidewalk improvements, or school houses, shall not under certain circumstances be deemed to constitute an indebtedness of such municipality within the meaning of Section 225 of said constitution.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Hawkins and Thomas:

H. 571. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at the University of Alabama Medical Center in Birmingham.

The above Bill was read a second time at length as required by the Constitution.

Mr. Boutwell, Chairman of the Standing Committee on Banking reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Steagall and Hain:

H. 209. To permit an infant to hold stock or other securities in corporations, to exercise rights relating thereto, including the transfer of the same, and to protect corporations relying upon such action without actual notice of the infancy, and to permit infants to receive dividends on stock or other securities in corporations and to give complete acquittance and release therefor.

Mr. Smith, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Vann:

S. 411. Authorizing counties having a population of not less than 65,000 nor more than 75,000, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards.

By Mr. Shelton:

S. 413. Relating to counties having a population of not less than 75,000 nor more than 90,000, according to the last or any subsequent federal decennial census; further regulating the alteration and extension of the corporate limits and boundaries of incorporated municipalities in such counties.

By Mr. Shelton:

S. 414. Relating to counties having a population of not less than 75,000 nor more than 90,000, according to the last or any subsequent federal decennial census; providing that the territory annexed to any city or town in such counties shall be subject immediately to all its laws and ordinances, and that its governing body shall have the same jurisdiction over such territory, including the authority to levy and collect taxes therein, as is exercised over all other territory within the corporate limits of the city or town.

By Mr. Lamberth:

S. 419. To regulate further the office of circuit solicitor of the Fifth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in Law Enforcement and in the conduct of his office.

By Mr. Roberts:

S. 422. To regulate further the compensation and allowances of certain officers of counties having a population of not less than 80,000 nor more than 94,000, according to the last or any subsequent federal decennial census.

By Mr. Robison:

S. 423. To authorize the court of county commissioners, board of revenue or like governing body of each county having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to pay pensions to certain former employees of the county.

By Mr. Van Antwerp:

S. 442. To amend Section 3 of the act approved September 2, 1949, which created a plumbers examining board in all counties having a population of not less than 140,000, according to the last or any subsequent federal decennial census (Act No. 529, H. 977, 1949 Acts 827).

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 128. Relating to Mobile County: To amend further Sections 1 and 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the

chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

By Mr. Selman (with notice and proof):

H. 249. To fix the compensation of the deputies and other assistants to the Sheriff of Walker County; and to repeal conflicting laws.

By Messrs. Selman and Shumate (with notice and proof):

H. 319. Relating to the county court of Walker County; to re-define the jurisdiction of said court, prescribe the powers and duties thereof, provide for the selection, tenure, powers, duties, and compensation of its officers, and repeal conflicting laws.

By Mr. Huddleston:

H. 683. Relating to the Thirty-first Judicial Circuit; providing for separation of the jury in the circuit courts of the counties composing such circuit (Colbert and Franklin) by consent.

By Messrs. Gilchrist and Brewer (with notice and proof):

H. 823. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

By Messrs. Brewer and Gilchrist (with notice and proof):

H. 824. To amend further Act No. 415, H. 665, approved September 24, 1919, entitled "An Act To establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court."

By Mr. Brewer:

H. 826. To amend Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956.

By Mr. Windle:

H. 832. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than twenty-four thousand nor more than twenty-five thousand five hundred, according to the last or any subsequent federal decennial census.

By Mr. Speaks (with notice and proof):

H. 843. To regulate further the compensation of the Superintendent of Education of Chilton County.

By Mr. Speaks (with notice and proof):

H. 844. To alter, re-arrange and extend the boundaries of the City of Clanton.

By Messrs. Lackey et al:

H. 855. To provide for and fix the sum of \$1,000 per year as an allowance for expenses for the president of the commission of any city having a population of 300,000 inhabitants or more according to the last or any subsequent federal census for which he shall not be required to file an accounting.

By Messrs. Lackey et al (with notice and proof):

H. 856. To alter and extend the boundaries of the City of Birmingham.

By Messrs. deGraffenried and Callahan:

H. 867. To provide that any monies heretofore or hereafter collected or on hand for the maintenance of the Law Library of the Circuit Court of any county in Alabama having a population of not less than 94,000 people and not more than 135,000 people, according to the last or any subsequent Federal decennial census shall be expended for the employment of, and salary for, a person or persons to act as librarian, for law books and furniture and equipment, and for other necessary maintenance of the Law Library of such Courts and for no other purpose.

By Mr. Killough (with notice and proof):

H. 872. Relating to Butler County: authorizing and directing the court of county commissioners, board of revenue, or like governing body of Butler County to provide for reimbursing the County Solicitor of Butler County, the expenses incurred by him in maintaining his office, and in the performance of his duties.

By Mr. Killough (with notice and proof):

H. 873. Relating to Butler County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the Judge of the Inferior Court of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties.

By Mr. Killough (with notice and proof):

H. 874. To amend Sections 1, 4, and 9 of the act approved May 23, 1951, which created and established in Butler County a court known as "The Inferior Court of Butler County, Alabama" (Act No. 27, H. 213, Acts of 1951, Vol. I, p. 235).

By Messrs. Tyson, Simon and Murphy::

H. 876. To amend Act No. 455 of the General Acts of Alabama of 1949, Page 659 which provides that in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property, by adding to said Act Section 14 which provides that said Act shall not apply to real estate on which buildings and improvements are not located on the date of said agreement, and Section 15 which provides that any such agreements of sale covering such unimproved real property may be cancelled and annulled when the purchaser has defaulted in the payments due by such agreement for a period of ninety (90) days by written notice to the purchaser either served on him personally or by registered mail of such default and cancellation.

By Messrs. Lackey et al:

H. 877. To amend Section 1 and Section 7, of an act approved August 17, 1953, (Act No. 343, H. 662, Acts of 1953, Volume 1, Page 404), entitled "AN ACT to provide for the establishment and administration of a supplementary retirement fund for deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks employed by the sheriff in counties having a population of 400,000 or more according to the last or any future federal census and for the payment of benefits to the deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, of the sheriff's office in such counties; to provide for the apportionment of pistol permit fees issued by the sheriff."

By Mr. Fite (with notice and proof):

H. 883. To amend further Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. 1, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting law."

Mr. Smith, Chairman of the Standing Committee on Local Legislation reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Mr. Dement (with notice and proof) (with amendment):

H. 791. To authorize and require the governing body of Limestone County to place certain plaques or markers on the Vaughn-Easter Ferry Bridge, which is located within that county.

Mr. Yarbrough (Randolph), Chairman of the Standing Committee on Education, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Yarbrough (Randolph) and Vann (with substitute):

S. 351. To amend Section 37, Title 52, Code of Alabama 1940, to authorize the State Board of Education and the trustees of all State institutions respectively, where education is a part of the program of the institution, to borrow money from Federal agencies, or from any private person, or corporation, or lending agency, for the erection of buildings, beautification of grounds, and the erection and maintenance of swimming pools at the several State institutions.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Hardy, Gilmer and Hain:

H. 544. To amend Section 348 of Title 51, Code of Alabama (1940).

By Mr. Hawkins:

H. 570. To make an additional appropriation, out of any funds in the State Treasury not otherwise appropriated, for the fiscal year ending September 30, 1959, in the amount of \$105,000.00 to the Department of Finance, Division of Control and Accounts, to be expended for "other expenses."

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Wood et al (with amendment):

H. 619. To authorize Alabama Highway Authority to finance, by the issuance of its bonds not exceeding \$20,000,000 in principal amount, the State of Alabama's share of the cost of the construction, reconstruction and improvement of public highways and bridges in the state with respect to which funds may be apportioned to the state under the provisions of any statute of the United States, said bonds to be in addition to those heretofore issued by said Authority; to provide that bonds issued under this act and the income therefrom shall be exempt from

taxation, and that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds, and shall not create an obligation or debt of the state; to provide that said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of said bonds; to make appropriation and pledge of funds necessary to pay the principal of and interest on said bonds; to authorize said Authority to pledge such funds for payment of the principal of and interest on said bonds; and to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs Roberts et al:

H. 835. To amend further Section 402 of Title 51, Code of Alabama, 1940, which prescribes the deductions allowed to corporations in computing net income subject to the Alabama income tax imposed by Section 398 of Title 51, Code of Alabama, 1940.

By Messrs. Haltom et al:

H. 294. To provide for the further promotion of river development in this State; to create the Alabama River Development Authority; to provide for the selection of the members of the Authority, and to prescribe their powers, duties, terms, qualifications, and compensation; to prescribe the authority and functions of the Authority; to provide for the appointment of an administrator of the Authority, and to prescribe his powers, duties, term, qualifications, and compensation; and to make an appropriation for the purposes of the Act.

By Messrs. Adams (Tallapoosa) et al: :

H. 720. To appropriate out of any funds in the State Treasury to the credit of the general fund, not otherwise appropriated, the sum of \$150,000 to the Department of Conservation to be used only for the purchase of lands to be made a part of the Horseshoe Bend National Military Park; and to provide for the lease, sale, swap, exchange, transfer, or otherwise dispose of such lands, including the right to convey same without consideration to the United States of America.

By Messrs. Adams (Tallapoosa) and Johnson (Tallapoosa):

H. 761. To repeal Act No. 600 approved August 6, 1907 relating to the celebration of the Battle of Horseshoe Bend in 1814; and to provide for the disposition of any property conveyed to such commission during its existence.

By Messrs. Martin, Branyon and Ramey:

H. 539. To provide the sum of \$50,000, in addition to all other sums heretofore provided, for the payment of awards by the Board of Adjustment made during the fiscal year ending September 30, 1957.

By Messrs. Martin and Dawkins:

H. 834. To repeal Section 76 of Title 45, Code of Alabama of 1940, and to amend Section 144 of Title 45, Code of Alabama of 1940, as amended.

By Messrs. Callahan and deGraffenried:

H. 164. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and

never has been eligible for membership in the Teachers' Retirement System, and to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama, who had attained age 70 as of July 1, 1951 and who was not eligible to become a member of the Teachers' Retirement System as of July 1, 1951, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; to repeal Act No. 63 approved June 3, 1953 relating to provisions for old age assistance to teachers; and to provide the appropriation necessary to carry out the provisions of this Act.

By Messrs. Smith, Vann, Skidmore, Reeves, Robison, Grisham, Cantrell, Moses, Shelton, Davis (Pickens), Givhan, Flowers, Lamberth, Dyar and Metcalf:

S. 374. To amend further Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama, 1951, p. 259), entitled "An Act to provide educational benefits to certain disabled veterans; to dependents and survivors of disabled veterans; and to dependents and survivors of deceased servicemen or veterans."

By Messrs. Kaul and deGraffenried:

H. 265. To amend Section 552 of Title 51, Code of Alabama 1940, which relates to the payment of an annual license tax by persons engaged in the practice of medicine, chemistry, bacteriology, roentgenology, or other similar professions.

By Messrs. Fite and Oden:

H. 751. To fix the salary of the State Highway Director.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Metcalf (with substitute):

S. 326. To provide for the establishment, maintenance, and operation of a trade school for the prison system of Alabama at Draper Prison, and to provide an appropriation therefor.

By Messrs. Skidmore, Van Antwerp, Flowers, Metcalf, Cantrell, Grisham, Lamberth, Roberts, Leonard, Allen, Robison, Newton, Smith, Moses, Dyar, Little, Goodwin and James (with substitute):

S. 429. To provide appropriations of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to section 903 of the Social Security Act, as amended, for the payment of expenses incurred by said Department for the administration of the State Unemployment Compensation Law and public employment offices during the Federal fiscal years, July 1, 1957 through June 30, 1958, and July 1, 1958 through June 30, 1959.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report and it was read a second time and placed on the calendar, to-wit:

By Messrs. Selman and Shumate:

H. 495. To amend further Section 94, Title 51, Code of Alabama

(1940), as amended, which relates to the term of service and compensation of members of boards of equalization, by establishing an additional classification therein.

Mr. Engelhardt, Chairman of the Standing Committee on Agriculture, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Flowers:

S. 244. To amend further Act No. 46, H. 36, approved April 6, 1955, which regulates the sale of eggs and provides for the inspection and grading thereof by amending Sections 1, 6, 7, 8, 11 and 13 of said Act.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Selman and Shumate:

H. 523. Proposing an amendment to the Constitution relating to the power of municipal corporations in Walker County, Alabama to levy or impose license taxes.

The above Bill was read a second time at length as required by the Constitution.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 117. Relating to Mobile County; providing further for the government of the county; abolishing the board of revenue and road commissioners, and creating a county commission in lieu thereof; providing for the selection of the members of the commission, and prescribing their qualifications, terms, and compensation; providing for the organization and jurisdiction of the commission, and the powers and duties of its individual members.

Also:

H. 384. To provide for an additional deputy sheriff for Escambia County.

Also:

H. 385. Relating to Escambia County: To increase the compensation of deputies sheriff of such county, and providing for the payment thereof.

Also:

H. 572. Relating to Etowah County; to require employers of more than one hundred persons on an hourly wage basis to pay his employees their wages not later than on Friday of each week; prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had

been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Brannan:

H. 841. To extend, alter and re-arrange the boundary lines and corporate limits of the City of Foley, Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

An Act to extend, alter and re-arrange the boundary lines and corporate limits of the City of Foley, Baldwin County, Alabama.

Section 1. That the corporate limit boundaries of the City of Foley, Baldwin County, Alabama, are hereby altered, re-arranged and fixed as follows:

Begin at the Northeast corner of Section twenty-one (21), Township seven (7) South, Range four (4) East; run thence South three (3) miles, more or less, to the Southeast corner of Section thirty-three (33), Township seven (7) South, Range four (4) East; run thence West two (2) miles, more or less, to the Southwest corner of Section thirty-two (32), Township seven (7) South, Range four (4) East; run thence North three (3) miles, more or less, to the Northwest corner of Section twenty (20), Township seven (7) South, Range four (4) East; run thence East one-half ($\frac{1}{2}$) mile more or less, to the Southwest corner of the Southeast Quarter ($SE\frac{1}{4}$) of Section seventeen (17), Township seven (7) South, Range four (4) East; run thence North one-fourth ($\frac{1}{4}$) mile, more or less, to the Northwest corner of the South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section seventeen (17), Township seven (7) South, Range four (4) East; run thence East one (1) mile, more or less, to the Northeast corner of the South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section sixteen (16), Township seven (7) South, Range four (4) East; run thence South one-eighth ($\frac{1}{8}$) mile, more or less, to the Northwest corner of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section sixteen (16), Township seven (7) South, Range four (4) East; run thence East three-sixteenths ($\frac{3}{16}$) of a mile, more or less, to the Northeast corner of the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section sixteen (16), Township seven (7) South, Range four (4) East; run thence South one-eighth ($\frac{1}{8}$) mile more or less, to the Southeast corner of the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SE\frac{1}{4}$) of Section sixteen (16), Township seven (7) South, Range four (4) East; run thence East five-sixteenths ($\frac{5}{16}$) of a mile, more or less, to the point of beginning.

Section 2. That the corporate limits of the City of Foley, Baldwin County, Alabama, as changed and extended, include the following territory: The South Half ($S\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section sixteen (16), the Southwest Quarter ($SW\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section sixteen (16), and the West Half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section sixteen (16), and the South Half ($S\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) of Section seventeen (17), and all of Sections twenty (20), twenty-one (21), twenty-

eight (28), twenty-nine (29), thirty-two (32), thirty-three (33), all in Township seven (7) South Range four (4) East.

Section 3. This act shall become effective immediately upon the passage and approval by the Governor, or upon its otherwise becoming a law. (4t May 2, 9, 16, 23)

AFFIDAVIT OF PUBLICATION

I, E. M. Howell, Publisher of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated May 2, 1957, and ending with the issue dated May 23, 1957.

E. M. HOWELL.

Subscribed and sworn to before me this 1st day of July, 1957.

CLAUDE PETEET,
Notary Public.

My Commission Expires July 18, 1959.

Also:

By Mr. Callahan:

H. 163. Proposing an amendment to the Constitution relating to the power of municipal corporations in Tuscaloosa County, Alabama to levy or impose license taxes.

Also:

By Mr. Fite:

H. 701. Proposing an amendment to the Constitution relating to Marion County.

Also:

By Messrs. McClendon and Hunt:

H. 892. Relating to Chambers County; imposing a special county license on any person engaged as a fortune teller, palmist, clairvoyant, astrologer, phrenologist or crystal gazer.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL TO BE ENTITLED AN ACT

Relating to Chambers County; imposing a special county license on any person engaged as a fortune teller, palmist, clairvoyant, astrologer, phrenologist or crystal gazer.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever engages in the occupation, vocation or calling of fortune teller, palmist, clairvoyant, astrologer, phrenologist or crystal gazer, in Chambers County, shall pay for the exercise of such privilege a special county license tax or fee in addition to the license required by Article 1 of Chapter 20, Title 51, Code of Alabama 1940. The charge of such special county license shall be two hundred dollars per annum, which shall be payable at the same time or times and under the same conditions, and subject to the same penalties as the license provided for in Section 528 of Title 51, Code of Alabama 1940.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 36-4t

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie D. Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1957.

BONNIE D. HAND.

Sworn to and subscribed before me July 30, 1957.

PEARL H. HAND,
Notary Public.

Also:

By Messrs. Hanby and Hawkins:

H. 897. To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Attalla, Etowah County, Alabama, be and the same are altered or rearranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County; all of which territory is more particularly described as being all of the territory lying within the County of Etowah, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Beginning at the Northeast corner of Section 2, Township 12 South, Range 5 East of the Huntsville Meridian and running in a Westerly direction along the section line a distance of 3820 feet more or less, to a point in the West bank of Little Wills Creek; thence in a Northerly direction and along the West bank of said creek a distance of 6600 feet, more or less, to a point in the North line of Section 35, Township 11 South, Range 5 East; thence in a Westerly direction and along the North line of said Section 35, a distance of 2000 feet, more or less, to the Northeast corner of the Northeast Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 5 East; thence in a Southwesterly direction a distance of 1865 feet, more or less, to the Northeast corner of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11, South, Range 5 East; thence in a Westerly direction and along the quarter section line, a distance of 1320 feet, more or less, to the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11 South, Range 5 East; thence in a Southerly direction and along the Section line a distance of 1320 feet, more or less, to the Southwest corner of the Southwest Quarter of the Northwest Quarter of Section 35, Township 11, Range 5; thence in a Westerly direction and along the half Section line a distance of 5280 feet, more or less, to the Northwest Corner of Fraction 15, Section 34, Township 11, Range 5; thence in a Southerly direction and along the Section line a distance of 2640 feet, more or less, to the Southwest corner of Section 34, Township 11, Range 5; thence in a Southwesterly direction and along the North line of Fraction "A", Section 3, Township 12, Range 5, a distance of 1702 feet, more or less, to the Northwest corner of said Fraction "A"; thence in a Southerly direction and along the West line of Fraction "A" and "C" of Section 3, Township 12, Range 5, a distance of 3400 feet, more or less, to the Southwest corner of Fraction "C", Section 3, Township 12, Range 5; thence in a Southwesterly direction a distance of 2340 feet, more or less, to a point where the East line of Section 9, Township 12, Range 5 intersects the East banks of Big Wills Creek; thence in a Southeasterly direction and along the East bank of said Big Wills Creek a distance of 1600 feet, more or less, to a point which is 300 feet from and at right angles to the Northwest right of way line of the Attalla-Birmingham Highway; thence in a Southwesterly direction and parallel to said right of way line a distance of 900 feet, more or less, to an iron stake, which iron stake is 300 feet from and at right angles to a point on the Northwest right of way line of the Attalla-Birmingham Highway, 158.3 feet Southwest of the Southwest end of Big Wills Creek Bridge; then turn an exterior angle of 92 degrees and run in a Northwesterly direction a distance of 1250 feet to a point; thence turn an exterior angle of 51 degrees and 38 minutes and run in a Westerly direction a distance of 1689 feet to an iron stake at the intersection of the Southwest line of the Gilberts Ferry Road and the Northwest line of Cedar Street as shown on Whorton Homesites; thence in a Southwesterly direction and along the Northwest line of the said Cedar Street a distance of 500 feet, more or less, to a point on the East line of Lot 24, Block 26 of the Cloverdale Addition; thence in a Southerly direction and along the East line of said Lot 24 a distance of 60 feet, more or less, to a point, which point is 325 feet, more or less, East of the Northeast corner of the Southeast Quarter of the Northwest Quarter of Section 9, Township 12, Range 5; thence in a westerly direction and along the Quarter Section line a distance of 2305 feet, more or less, to a point in the North line of the Southwest Quarter of the Northwest Quarter of Section 9, Township 12, Range 5, which point is 660 feet West of the Northeast corner of said forty; thence in a Southerly direction and parallel to the East line of Sections 9 and 16 a distance of 5824 feet, more or less, to a point in the Southeast right of way line of the Alabama Great Southern Railroad; thence in a Northeasterly direction and

along said right of way line a distance of 930 feet, more or less, to a point in the South line of the Northeast Quarter of the Northwest Quarter of Section 16, Township 12, Range 5; thence in an Easterly direction and along the quarter section line a distance of 3171.0 feet, more or less, to a point in the North line of the Southeast Quarter of the Northeast Quarter of Section 16, Township 12, Range 5, which point is 281.2 feet West of the center line of Usry Drive, as shown by map of Meadow Lawn No. 1, as recorded in Plat Book "E", Page 155, Office of the Judge of Probate of Etowah County, Alabama; thence in a Southerly direction and parallel to the center line of said Usry Drive and said center line extended in a direct line, a distance of 6590 feet, more or less, to a point in the south line of the Southeast Quarter of the Northeast Quarter of Section 21, Town 12, Range 5; thence in an Easterly direction and along the half section line a distance of 1121 feet, more or less, to the Southeast corner of said Southeast Quarter of the Northeast Quarter; thence in a Northerly direction and along the East line of said Southeast Quarter of the Northeast Quarter, a distance of 1320 feet, more or less, to the Northeast corner of said Southeast Quarter of the Northeast Quarter; thence in an Easterly direction and along the Quarter Section line a distance of 3094.5 feet, more or less, to a point in the South line of the Northwest Quarter of the Northeast Quarter in Section 22, Township 12, Range 5, which point is midway between the Southeast corner and the Southwest corner of said forty; thence in a Northerly direction and parallel to the East line of Sections 22 and 15 a distance of 3957.5 feet, more or less, to a point in the South line of the Southwest Quarter of the Northeast Quarter, Section 15, Township 12, Range 5, which point is midway between the Southeast corner and the Southwest corner of said forty; thence in an Easterly direction and along the half section line a distance of 3265.5 feet to the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 14, Township 12, Range 5; thence in a Northerly direction and along the quarter section line a distance of 2662 feet, more or less, to a point in the East line of the Southwest Quarter of the Southwest Quarter, Section 11, Township 12, Range 5, which point is 40 feet North of the center line of the Gilberts Ferry Road; thence in a Westerly direction and parallel to the Gilberts Ferry Road a distance of 2630 feet, more or less, to a point in the West line of the Northeast Quarter of the Northeast Quarter, Section 15, Township 12, Range 5; thence in a Northerly direction and along the quarter section line a distance of 1349 feet, more or less, to the Northeast corner of the Southwest Quarter of the Southeast Quarter, Section 10, Township 12, Range 5; thence in a Westerly direction and along the quarter section line a distance of 623.5 feet, more or less, to a point which is midway between the Northeast corner and the Northwest corner of said forty; thence in a Northerly direction and parallel to the East line of Section 10, Township 12, Range 5, a distance of 1900 feet, more or less, to a point in the Southwest bank of Big Wills Creek; thence in a Westerly direction and along the Southwest Bank of said Creek a distance of 2700 feet, more or less, to a point in the Southeast right of way line of the Alabama Great Southern Railroad; thence in a Northeasterly direction and along said right of way line a distance of 3550 feet, more or less, to a point in the South line of Fraction 14, Section 3, Township 12, Range 5; thence in an Easterly direction and along the section line a distance of 2340 feet, more or less, to the Southeast corner of Fraction 15, Section 3, Township 12, Range 5; thence in a Northerly direction and along the quarter section line a distance of 1320 feet, more or less, to the Northeast corner of Fraction 15, Section 3, Township 12, Range 5; thence in an Easterly direction and along the quarter section line a distance of 3960 feet to the Northwest corner of Fraction "A", Section 2, Township 12 South, Range 5 East; thence in a Southerly direction and along the West line of said Fraction "A"

a distance of 800 feet, more or less, to a point on the North Bank of Big Wills Creek; thence in an Easterly direction and along the North Bank of Big Wills Creek a distance of 1400 feet, more or less, to a point on the East line of said Fraction "A"; thence in a Northerly direction and along the East line of said Fraction "A" a distance of 1320 feet to the Northeast corner of said Fraction "A"; thence in an Easterly direction and along the quarter section line a distance of 1300 feet, more or less, to the Southeast corner of Northeast Quarter of the Southeast Quarter, Section 2, Township 12, Range 5; thence in a Northerly direction and along the section line a distance of 3960 feet to the point of beginning, all of the above described lands lying and being in Sections 34 and 35, Townships 11 South, Range 5 East and in Sections 2, 3, 4, 9, 10, 11, 14, 15, 16, 21 and 22, Township 12 South, Range 5 East, Etowah County, Alabama.

Section 2. That the boundaries set out in Section One of this Act be, and the same are hereby established as the corporate limits of said City of Attalla, Etowah County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Attalla, Etowah County, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this Act be, and the same are hereby repealed.

Section 4. That this Act shall go into effect immediately upon its approval by the Governor.

E. K. HANBY,
Representative

GEORGE C. HAWKINS,
Representative

E. L. ROBERTS,
Senator.

June 6, 13, 20, 27.

STATE OF ALABAMA
ETOWAH COUNTY

Before me, Walter Betz, a Notary Public in and for said County, in said State, personally appeared J. Paul Miles, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That he is Publisher of The Etowah News-Journal, a newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising:

That, as such Publisher he has knowledge of the facts hereinafter stated, and that he is authorized by said, The Etowah News-Journal to make this affidavit:

That there is glued to said affidavit notice of the Publication which notice was printed in The Etowah News-Journal in its regularly circulated editions on June 6th, 13th, 20th, and 27th, 1957, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appeared in The Etowah News-Journal on the date shown above.

Subscribed and sworn to by me on this the 25th day of July, 1957.

J. PAUL MILES.

Subscribed and sworn to by me on this, the 25th day of July, 1957.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

Also:

By Mr. Richardson:

H. 900. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Greensboro in Hale County are hereby altered, re-arranged and extended so as to embrace within the corporate limits of said municipality all the territory now lying within said limits, and in addition thereto, the following described lands lying and being in said county, to-wit:

"Begin at the Northeast corner of Section 20, Township 20 North, Range 5 East, and run thence south along the east boundary of said section 1320 feet; run thence at right angles west 1312 feet; run thence at right angles north along the present corporate limit 1320 feet; run thence east along the present corporate limit 1312 feet to the point of beginning."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

6-27-4c

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Willie Jean Arrington, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was associate editor of the Greensboro Watchman, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of

Alabama, said notice having appeared in the issues of said paper on June 27th, July 4th, July 11th, and July 18th, all in the year 1957.

WILLIE JEAN ARRINGTON.

Sworn to and subscribed before me July 25th, 1957.

S. W. H. WILLIAMS, JR.
Notary Public, Hale County, Ala.

Also:

By Mr. Stembridge:

H. 901. To alter, re-arrange and extend the boundaries of the municipality of Avon in Houston County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries of the municipality of Avon in Houston County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Avon in Houston County are hereby altered, re-arranged and extended so as to embrace within the corporate limits of said municipality all of the following described lands lying in said county, to wit:

"Beginning at the SE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 3 N, R 27E, and running thence West 990 feet; thence running South 1520 feet; thence running West 330 feet; thence running North 1520 feet; thence running West 2648.25 feet to the SW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36; thence running North 1320 feet to the NW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36; thence running East 7948 feet to the NE corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 3 N, R 28E; thence running South 500 feet; thence running East 870 feet to the West side of a county road; thence running Southwesterly along said county road 740 feet more or less to the North side of U. S. Highway No. 84; thence running South 330 feet; thence running West 2780 feet; thence running North 300 feet; thence running West 1800 feet to the point of beginning."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

RICHMOND M. FLOWERS,
Senator.

June 25, July 2, 9, 16, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. T. Lane, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1957.

J. T. LANE, JR.

Sworn to and subscribed before me July 18, 1957.

B. WALLACE MILLER,
Notary Public.

Also:

By Messrs. Roberts and Reynolds:

H. 918. To amend Section XII of the act approved July 6, 1945, the act which authorized the governing body of Madison County to impose an excise tax on gasoline (Act No. 370, H. 642, 1945 Local Acts 175); providing further for the use of the proceeds of such tax.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section XII of the act approved July 6, 1945, the act which authorized the governing body of Madison County to impose an excise tax on gasoline (Act No. 370, H. 642, 1945 Local Acts 175); providing further for the use of the proceeds of such tax.

Be It Enacted by the Legislature of Alabama:

Section 1. Section XII of the act approved July 6, 1945, the act which authorized the governing body of Madison County to impose an excise tax on gasoline (Act No. 370, H. 642, 1945 Local Acts 175) is hereby amended to read as follows:

"Section XII. The proceeds of the excise tax authorized in this Act, when collected by the governing body of Madison County as above authorized, shall be paid into the Special Buildings, Bridges and Road Fund of Madison County, Alabama, and shall be used exclusively for the construction, building, maintenance and repair of the public roads, public buildings and bridges of Madison County, Alabama; provided, however, that a sum not exceeding ten thousand dollars (\$10,000) may be appropriated and used to defray the cost of making an investiga-

tion of the water resources of the county under a cooperative agreement with the Geological Survey, United States Department of the Interior."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 1, 8, 15, 22, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1957.

W. C. LEWIS.

Sworn to and subscribed before me July 23, 1957.

OPAL H. DILWORTH,
Notary Public.

Also:

By Messrs. Roberts and Reynolds:

H. 919. To abolish the fine and forfeiture fund in the county treasury of Madison County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF MADISON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To abolish the fine and forfeiture fund in the county treasury of Madison County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereafter, all fines and forfeitures paid in money in Madison County as prescribed by Section 392 of Title 15, Code of Alabama (1940) shall be covered into the general fund of said county, and

the fine and forfeiture fund in the county treasury is hereby abolished. Any balance remaining in said fine and forfeiture fund on the effective date of this enactment shall be transferred to the general fund of the county after all claims registered against the fine and forfeiture fund have been paid in full.

Section 2. The claims of state witnesses, and of the officers of the court in criminal cases, which but for this Act would be payable from the fine and forfeiture fund of Madison County, shall hereafter be paid from the general fund of said county.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 1, 8, 15, 22, 1957

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 1, July 8, July 15, and July 22, all in the year 1957.

W. C. LEWIS.

Sworn to and subscribed before me July 23, 1957.

OPAL H. DILWORTH,
Notary Public.

Also:

By Mr. Cox:

H. 922. To Alter or Re-arrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the Corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

RESOLUTIONS TO EXTEND THE CORPORATE LIMITS OF THE CITY OF ALBERTVILLE, ALABAMA

Whereas, the public health and public good requires that certain territory shall be brought within the limits of the City of Albertville, Marshall County, Alabama. Said territory being more particularly described in a proposed act to be submitted to the Legislature extending

the Corporate limits of the said City of Albertville, Marshall County, Alabama. Said proposed act of the Legislature is hereby made a part of this resolution as if fully set out herein.

Wherefore, be it resolved by the City Council of the City of Albertville, Marshall County, Alabama, that the Representative in the Legislature of Alabama from Marshall County and the Senator representing the district of which Marshall County is a part be requested to introduce and obtain a passage of an act of the Legislature at its next session extending said limits of said Albertville, Marshall County, Alabama, as set out and described in said proposed act.

Be it further resolved, that this resolution and a copy of the act be published in The Albertville Herald in four consecutive issues of said paper.

Passed and approved this March 19, 1957.

Robert D. Dickson, Mayor of
the City of Albertville, Ala.

Attest: J. M. Cochran
City Clerk

AN ACT

To Alter or Re-arrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the Corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Boundary lines of the City of Albertville, Marshall County, Alabama, be, and the same are hereby altered or re-arranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Marshall County, Alabama, all of which territory is more particularly described as being all of the territory lying within the County of Marshall, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Begin at the Southeast corner of Section Fifteen (15) Township Nine (9) South, Range Four (4) East, thence west along the Section lines One and three fourths ($1\frac{3}{4}$) miles to the Southwest corner of the Southeast fourth of the Southwest fourth of Section Sixteen (16) Township Nine (9) Range Four (4); thence North three fourths ($\frac{3}{4}$) of a mile to the Southeast corner of the Northwest fourth of the Northwest fourth of Section Sixteen (16) Township Nine (9) Range Four (4); thence West one fourth ($\frac{1}{4}$) of a mile to the Southwest (SW) corner of the Northwest four ($NW\frac{1}{4}$) of the Northwest fourth ($NW\frac{1}{4}$) of Section Sixteen (16) Township Nine (9) Range Four (4); thence North one mile to the Southeast (SE) corner of the Northeast fourth ($NE\frac{1}{4}$) of the Northeast fourth ($NE\frac{1}{4}$) of Section Eight (8) Township Nine (9) Range Four (4); thence West one fourth ($\frac{1}{4}$) of a mile to the Southwest corner of the Northeast fourth ($NE\frac{1}{4}$) of the Northeast fourth ($NE\frac{1}{4}$) of Section Eight (8) Township Nine (9) Range Four (4); thence North one and one half ($1\frac{1}{2}$) miles to the Northwest (NW) corner of the Southeast fourth ($SE\frac{1}{4}$) of the Southeast fourth ($SE\frac{1}{4}$) Section Thirty Two (32) Township Eight (8) Range Four (4); thence East one and a quarter ($1\frac{1}{4}$) miles to the Northeast (NE) corner of the Southeast fourth ($SE\frac{1}{4}$) of the Southeast fourth ($SE\frac{1}{4}$) of Section Thirty Three (33) Township Eight (8) Range Four (4); thence South one quarter ($\frac{1}{4}$) of a mile to

the Southeast (SE) corner of Section Thirty Three (33) Township Eight (8) Range Four (4); thence East One and three quarters ($1\frac{3}{4}$) miles to the Northeast (NE) corner of the Northwest fourth ($NW\frac{1}{4}$) of the Northeast fourth ($NE\frac{1}{4}$) of Section Two (2) Township Nine (9) Range Four (4); thence South one and one fourth ($1\frac{1}{4}$) miles to the Northwest (NW) corner of the Southeast fourth ($SE\frac{1}{4}$) of the Northeast fourth ($NE\frac{1}{4}$) of Section Eleven (11) Township Nine (9) Range Four (4); thence East one fourth ($\frac{1}{4}$) of a mile to the Northeast (NE) corner of the southeast fourth ($SE\frac{1}{4}$) of the Northeast fourth ($NE\frac{1}{4}$) of Section Eleven (11) Township Nine (9) Range Four (4); thence South three fourths ($\frac{3}{4}$) of a mile to the Southeast (SE) corner of Section Eleven (11) Township Nine (9) Range Four (4); thence East one fourth ($\frac{1}{4}$) of a mile to the Northeast (NE) corner of the Northwest fourth ($NW\frac{1}{4}$) of the Northwest fourth ($NW\frac{1}{4}$) of Section Thirteen (13) Township Nine (9) Range four (4); thence South one fourth ($\frac{1}{4}$) of a mile to the Southeast (SE) corner of the Northwest fourth ($NW\frac{1}{4}$) of the Northwest fourth ($NW\frac{1}{4}$) of Section Thirteen (13) Township Nine (9) Range Four (4); thence east one fourth ($\frac{1}{4}$) of a mile to the Northeast (NE) corner of the Southeast fourth ($SE\frac{1}{4}$) of the Northwest fourth ($NW\frac{1}{4}$) of Section Thirteen (13) Township Nine (9) Range Four (4); thence South one half ($\frac{1}{2}$) mile to the Northwest corner of the Southwest fourth ($SW\frac{1}{4}$) of the Southwest fourth of Section Thirteen (13) Township Nine (9) Range Four (4); thence East one fourth ($\frac{1}{4}$) of a mile to the Northeast (NE) corner of the Southwest fourth ($SW\frac{1}{4}$) of the Southeast fourth ($SE\frac{1}{4}$) of Section Thirteen (13) Township Nine (9) Range Four (4); thence South one fourth ($\frac{1}{4}$) of a mile to the Southeast (SE) corner of the Southwest fourth ($SW\frac{1}{4}$) of the Southeast fourth ($SE\frac{1}{4}$) of Section Thirteen (13) Township Nine (9) Range Four (4); thence East one fourth ($\frac{1}{4}$) of a mile to the Northeast corner of Section Twenty-four (24) Township Nine (9) Range Four (4); thence South One fourth ($\frac{1}{4}$) of a mile to the Northwest corner of the Southwest fourth ($SW\frac{1}{4}$) of the Northwest fourth ($NW\frac{1}{4}$) of Section Nineteen (19) Township Nine (9) Range Five (5); thence East one quarter ($\frac{1}{4}$) of a mile to the Northeast (NE) corner of the Southwest fourth ($SW\frac{1}{4}$) of the Northwest fourth ($NW\frac{1}{4}$) of Section Nineteen (19) Township Nine (9) Range Five (5); thence South one fourth ($\frac{1}{4}$) of a mile to the Northwest corner of the Northeast fourth ($NE\frac{1}{4}$) of the Southwest fourth ($SW\frac{1}{4}$) of Section Nineteen (19) Township Nine (9) Range Five (5); Thence East one fourth ($\frac{1}{4}$) of a mile to the Northeast (NE) corner of the Northeast fourth ($NE\frac{1}{4}$) of the Southwest fourth ($SW\frac{1}{4}$) of Section Nineteen (19) Township Nine (9) Range Five (5); thence South one half ($\frac{1}{2}$) of a mile to the Southeast (SE) corner of the Southeast fourth ($SE\frac{1}{4}$) of the Southwest fourth ($SW\frac{1}{4}$) of Section Nineteen (19) Township Nine (9) Range Five (5); thence west one and three fourths ($1\frac{3}{4}$) miles more or less to the intersection of the eastern right of way line of the N. C. & St. L. Ry. with the south boundary of Section Twenty four (24) Township Nine (9) Range Four (4); thence Northwesterly one (1) mile more or less along the Eastern Right of Way line to the South boundary of Section Fourteen (14) Township Nine (9) Range Four (4), thence West one half ($\frac{1}{2}$) mile more or less to the point of beginning, all parts of the above descriptions being in Marshall County, Alabama.

Section 2. That the boundaries set out in Section One (1) of this Act be and the same is hereby established as the Corporate limits of the City of Albertville, Marshall County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the City of Albertville, Marshall County, Alabama.

Section 3. That all laws and parts of laws general, special and local in conflict with this Act be and the same are hereby repealed.

Section 4. That this Act shall go into effect upon its approval by the Governor or otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. J. Thompson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Albertville Herald, a newspaper of general circulation published in Albertville, Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1957.

H. J. THOMPSON.

Sworn to and subscribed before me April 18, 1957.

MACK KILCREASE,
Notary Public.

Also:

By Messrs. Simon and Murphy:

H. 923. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County to become indebted and issue bonds in evidence of such indebtedness to the amount of three million dollars (\$3,000,000) principal amount for public school building purposes in such county; to pledge certain of the proceeds of any tax heretofore or hereafter levied under Amendment XVIII to the payment of bonds issued hereunder; and to continue to levy a tax in the amount authorized in said Amendment XVIII until all bonds issued hereunder have been paid in full or provision therefor made.

Also:

By Messrs. Simon, Murphy and Tyson:

H. 924. To provide Judicial Officers of Mobile County; to designate them as Supernumerary Judges of the Court of General Sessions of Mobile County; to provide the conditions under which a Judge of the Court of General Sessions may become a Supernumerary Judge of the Court of General Sessions of Mobile County; to prescribe the qualifications, tenure in office, duties, powers, authority, and to fix the compensation of such supernumerary judges of the Court of General Sessions of Mobile County, and to provide for the method of removal from office of such supernumerary judges of the Court of General Sessions of Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide Judicial Officers of Mobile County; to designate them as Supernumerary Judges of the Court of General Sessions of Mobile County; to provide the conditions under which a Judge of the Court of General Sessions may become a Supernumerary Judge of the Court of General Sessions of Mobile County; to prescribe the qualifications, tenure in office, duties, powers, authority, and to fix the compensation of such supernumerary judges of the Court of General Sessions of Mobile County, and to provide for the method of removal from office of such supernumerary judges of the Court of General Sessions of Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. Any judge of the Court of General Sessions of Mobile County who has become permanently and totally disabled, proof of such disability being made by certificate of three reputable physicians, or any Judge of the Court of General Sessions of Mobile County who is not less than the age of sixty-five years and who has served continuously for a period of fifteen years as Judge of the Court of General Sessions of Mobile County, or as Judge of the Court of General Sessions of Mobile County and Judge of the Inferior Criminal Court of Mobile County, may elect to become a Supernumerary Judge of the Court of General Sessions of Mobile County by filing a written declaration to that effect with the Governor of Alabama, who shall, if proof of permanent total disability of declarant be submitted as provided above, or if the age of the declarant be not less than sixty-five years and his continuous service as Judge of the Court of General Sessions of Mobile County be not less than fifteen years, or if the age of the declarant be not less than sixty-five years and his continuous service as Judge of the Court of General Sessions of Mobile County and Judge of the Inferior Criminal Court of Mobile County, be not less than fifteen years, thereupon issue to such declarant a commission as Supernumerary Judge of the Court of General Sessions of Mobile County. The office of Judge of the Court of General Sessions of Mobile County made vacant by the election of any such declarant shall be filled by appointment of the Governor of Alabama as now provided by law.

Section 2. Such Supernumerary Judge of the Court of General Sessions of Mobile County shall take the oath of office prescribed by law for judicial officers, and shall have and exercise all the duties, power, and authority of Judges of the Court of General Sessions of Mobile County, and shall, upon the request of the Presiding Judge of the Court of General Sessions of Mobile County, preside at any term or session of the Court of General Sessions of Mobile County.

Section 3. Such Supernumerary Judge of the Court of General Sessions of Mobile County shall hold office during his good behavior and may be removed from office by impeachment for the causes specified by law and in the Constitution of Alabama.

Section 4. Such Supernumerary Judge of the Court of General Sessions of Mobile County shall be paid an annual salary of five thousand dollars, payable in equal monthly installments from the general fund in the Treasury of Mobile County.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Otto E. Simon

June 25; July 2, 9, 16.

PROOF OF PUBLICATION

Alvin A. Johnson being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and that the attached notice appeared in the issue of The Mobile Register June 25, July 2, 9, and 16, 1957.

ALVIN A. JOHNSON.

Sworn to and subscribed before me this 16th day of July, 1957.

GREG L. KENNY,
Notary Public.

Also:

By Mr. Tyson:

H. 926. Relating to cities having a population of not less than 125,000 nor more than 250,000, according to the last or any subsequent federal decennial census; fixing the compensation of the members of the city commission, council, or like governing body of any such city.

Also:

By Messrs. Dawkins, Hall, Goodwyn and Nolen:

H. 935. To require the Board of Revenue of Montgomery County, Alabama, to elect a County Road Engineer, which person must have had at least three years of practical experience in road building and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank, and to prescribe his duties and authority.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To require the Board of Revenue of Montgomery County, Alabama, to elect a county road engineer, which person must have had at least three years of practical experience in road building and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank, and to prescribe his duties and authority.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Revenue of Montgomery County, Alabama, shall elect after the approval of this act, a thoroughly qualified and competent person as road engineer for said county, which road engineer must have at least three years practical experience in road building prior to his election and must be a graduate in civil engineering of a recognized institute of technology or other institute or engineering school of collegiate rank.

Section 2. That the county road engineer, provided for by the terms of this act, shall receive as compensation at least \$5,000 per year. His compensation, however, shall be fixed by the Board of Revenue or like governing body, in the county in which he is elected.

Section 3. That the said road engineer, provided for by this act, shall give his entire time and attention to the construction and maintenance of public roads, highways and bridges in the county in which

he holds office, and he shall have no other business, directly or indirectly, other than prescribed by the terms of this act.

Section 4. That said county engineer, herein provided for, shall have under the direction and with the approval of the Board of Revenue of Montgomery County, Alabama, entire charge of the public roads, highways and bridges in the county in which he holds office, he shall employ such assistants and help as necessary for a full and satisfactory performance of the duties of his office, relative to the upkeep, maintenance, construction, etc., of all roads, highways and bridges in the county in which he holds office.

Section 5. That the said road engineer be and is hereby required to keep a written record in his office, which shall be a public record, setting out in detail the work he has accomplished during the preceding month, the number of persons employed and for what, the amount of moneys expended and for what, and shall set out his appraisal of the condition of all public roads, highways and bridges in the county in which he holds office.

Section 6. This act shall not affect the Merit Law—Title 62, Section 110 (3)—Section 110 (19), approved September 2, 1949, or any amendment thereof.

Section 7. Be it further enacted that all laws and parts of laws other than as enumerated in Section 6 hereof in conflict with the provisions of this act be and the same are hereby repealed.

Section 8. This act shall take effect immediately upon its approval by the Governor of Alabama.

Adv. June 21, 28, July 5, 12.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me, the undersigned authority in and for said County in said State, this day personally appeared T. A. Hardy, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Credit Manager of The Montgomery Advertiser, a newspaper of general circulation published in Montgomery County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, 1957.

T. A. HARDY.

Sworn to and subscribed before me July 12, 1957.

HENRY W. SUDDATH,
Notary Public.

Also:

By Messrs. deGraffenried and Callahan:

H. 941. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the present session and application for its passage and enactment will be made.

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Northport, Tuscaloosa County, Alabama, be altered, rearranged, changed and extended so as to include within the corporate limits of said City all of the following additional territory:

As a point of beginning start at the Northeast Corner of Section 21, Township 21 South, Range 10 West, thence Westwardly along the North boundary of Section 21 and also the present City limits line for a distance of 2640 feet, more or less, to the Northwest Corner of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of NE $\frac{1}{4}$) of said Section 21, thence North 33 degrees and 30 minutes West and along the present City limits line for a distance of 50 feet, more or less, to the West boundary of 30th Avenue (Oliver Dam Road), thence Southwardly along the West boundary of 30th Avenue to the intersection with the North boundary of the Black Warrior River, thence Easterly or Northeasterly along the North boundary of said Black Warrior River to an intersection with the East boundary of said Section 21, thence Northwardly along the East boundary of said Section 21, which is also the City limits line, to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 22-29, July 6-13 4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 22, June 29, July 6, and July 13, all in the year 1957.

BUFORD BOONE.

Sworn to and subscribed before me July 16, 1957.

LILLA COLLINS,
Notary Public.

Also:

By Messrs. deGraffenried and Callahan:

H. 942. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the present session and application for its passage and enactment will be made.

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Northport, Tuscaloosa County, Alabama, be altered, rearranged, changed and extended so as to include within the corporate limits of said City all the following additional territory:

As a point of beginning start at a point on the East boundary of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) of Section 10, Township 21 South, Range 10 West, that is 330.0 feet North of the Southeast Corner of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$); said point being on the present city limits line; thence Northwardly along the East boundary of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) for a distance of 528.0 feet to a point; thence Westwardly and parallel to the South boundary of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) to the East boundary of the right-of-way of Alabama Highway No. 69; thence Northwardly along the East boundary of Alabama Highway No. 69 to an intersection with the North boundary of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) of said Section 10; thence Westwardly along the North boundary of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) to the Northwest Corner of said Section 10; thence Northwardly along the West boundary of Section 3; Township 21 South, Range 10 West, for a distance of 636.3 feet to a point; thence Eastwardly and on a bearing of North 88 degrees East to a point on the West boundary of said U. S. Highway No. 69; thence Southwardly along the West boundary of said U. S. Highway No. 69, to an intersection with the South boundary of the Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of the SW $\frac{1}{4}$) of said Section 3; thence Eastwardly along the South boundary of said Section 3 to the Southeast Corner of the Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$); thence Northwardly along the East boundary of said Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$) to the Northeast Corner of said Southwest Quarter of the Southeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$); thence Eastwardly along the South boundary of the North Half of the Southeast Quarter of the Southwest Quarter (N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$) of said Section 3, to the Southeast Corner of the North half of the Southeast Quarter of the Southwest Quarter (N $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$), thence Northwardly along the East boundary of said Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of the SW $\frac{1}{4}$) and the East boundary of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$), all being in said Section 3, to a point that is 850.0 feet South of the Northeast Corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$); thence westwardly and parallel

to the South boundary of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) to a point on the West boundary of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$); thence Northwardly along the East boundary of the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ of the SW $\frac{1}{4}$), the East boundary of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) and the East boundary of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$), all being in said Section 3, to the Northeast Corner of said Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$); thence Westwardly along the North boundary of said Northwest Quarter (NW $\frac{1}{4}$ of the NW $\frac{1}{4}$) to the Northwest Corner of said Section 3; thence continue Westwardly along the North boundary of Section 4, Township 21 South, Range 10 West, to the Northwest Corner of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of the NE $\frac{1}{4}$) of said Section 4; thence Southwardly along the West boundary of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ of the NE $\frac{1}{4}$) the West boundary of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ of the NE $\frac{1}{4}$) and the West boundary of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$), all being in said Section 4, to the Southwest Corner of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Eastwardly along the South boundary of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$) to the Southeast corner of said Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Southwardly along the West boundary of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$) of said Section 4, to the Southwest Corner of said Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ of the SE $\frac{1}{4}$); thence Eastwardly along the North boundary of the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ of the NE $\frac{1}{4}$) of Section 9, Township 21 South, Range 10 West, to the Northwest Corner of the East Half of said Northeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$); thence Southwardly along the West boundary of said East Half of the Northeast Quarter of the Northeast Quarter (E $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$) and the prolongation thereof, to the North boundary of U. S. Highway No. 82, formerly known as U. S. 82 By-Pass; thence Westwardly along the curving North boundary of said U. S. Highway No. 82, to an intersection with the East boundary of U. S. Highway No. 43 (Byler Road); thence Southwardly or Southeastwardly along the East boundary of said Byler Road to an intersection with the North boundary of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) of said Section 29; thence Southwardly along the East boundary of said Byler Road for a distance of 410.4 feet, more or less, to the Northwest Corner of the Hiten Subdivision, a plat of which is recorded in Plat Book 5, at Page 152, in the Probate Office of Tuscaloosa County, Alabama; thence Eastwardly along the North boundary of said Hiten subdivision, to the Northeast Corner of said Hiten Subdivision; then Southwardly or Southeastwardly along the East boundary of said Hiten Subdivision and the East boundary of the Battle Subdivision, as recorded in Plat Book 6, at Page 150 in the Probate Office of Tuscaloosa County, Alabama, and the prolongation thereof, for a distance of 893.78 feet to a point; thence with a deflection angle of 78 degrees and 40 minutes to the left; run in an Easterly direction for a distance of 223.0 feet, more or less, to an intersection with the East boundary of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) of said Section 9; thence Southwardly along the East boundary of the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$) to the Southeast Corner of said Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ of the SW $\frac{1}{4}$); thence Southwardly along the East boundary of the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ of the SW $\frac{1}{4}$) of said Section 9, for a distance of 350.0 feet, more or less, to an intersection with the present

city limits line; thence North 34 degrees East and along the present city limits line of the City of Northport, for a distance of 250.0 feet, more or less, to a point; thence North 40 degrees and 30 minutes East and along the present city limit line for a distance of 260.0 feet to a point; thence North 71 degrees and 10 minutes East and along the present city limit line for a distance of 926.0 feet to a point; thence North 65 degrees and 15 minutes East and along the present city limit line for a distance of 598.0 feet to a point; thence South 87 degrees and 30 minutes East and along the present city limit line for a distance of 257.0 feet to a point; thence South 80 degrees and 20 minutes East and along the present city limit line for a distance of 552.0 feet, to a point, said point being on the East boundary of 20th Avenue; thence Northwardly along the East boundary of 20th Avenue to a point that is 330.0 feet North of the South boundary of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$); thence Eastwardly, parallel to, and 330.0 feet North of the South boundary of said Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ of the NW $\frac{1}{4}$) and also along the present city limits line, to the point of beginning.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby expressly repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

June 19-26, July 3-10 4TC.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1957.

BUFORD BOONE.

Sworn to and subscribed before me July 11, 1957.

LILLA COLLINS,
Notary Public.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 841, 163, 701, 892, 897, 900, 901, 918, 919, 922, 923, 924, 926, 935, 941, and 942—To the Committee on Local Legislation.

(The above bills, H. B.'s 163, 701, and 923 were read at length as required by the Constitution.)

BILLS ON THIRD READING

The Bill:

S. 148. To amend Section 3, of Title 54, Code of Alabama, 1940, which provides for the salary of Deputy Sheriffs.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Jones	Shelton
Allen	Engelhardt	Lamberth	Skidmore
Boutwell	Flowers	Leonard	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Newton	Van Antwerp
Cooper	Grisham	Reeves	Vann
Davis (Pickens)	Hall	Roberts	Yarbrough (Autauga)
Dyar	James	Robison	Yarbrough (Randolph)

—31

Nays:

—0

The Bill:

S. 146. To amend Section 75, of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon who consents to return without requisition.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 31; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Boutwell	Givhan	Little	Skidmore
Bradford	Goodwin	Metcalf	Smith
Calvin	Grisham	Moses	Tate
Cooper	Hall	Newton	Vann
Davis (Pickens)	James	Reeves	Yarbrough (Autauga)
Dyar	Jones	Roberts	Yarbrough (Randolph)

—31

Nays:

—0

The Bill:

S. 145. To amend Section 72, of Title 15, Code of Alabama, 1940, which provides for the expenses of bringing back an absconding felon on requisition for extradition.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Bradford	Cooper	Eddins
Allen	Calvin	Davis (Pickens)	Engelhardt
Boutwell	Cantrell	Dyar	Flowers

Givhan	Leonard	Roberts	Tate
Goodwin	Little	Robison	Van Antwerp
Hall	Metcalf	Shelton	Vann
James	Moses	Skidmore	Yarbrough (Autauga)
Jones	Newton	Smith	Yarbrough (Randolph)
Lamberth	Reeves		—33

Nays:

—0

The Bill:

H. 37. Levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interest in non-producing oil, gas or other minerals, as herein defined; exempting from all ad valorem taxation all such interests hereinafter created or transferred or hereinafter registered; and repealing Act No. 534 of the Laws of Alabama of 1953.

Was read a third time at length and passed.

Yeas 30; Nays 2.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Vann
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—30

Nays: Messrs. Cooper and Newton

—2

RESOLUTIONS

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 69. BE IT RESOLVED by the Senate that on the call of the Calendar, and completion of the Unfinished Business, for today the following shall be the special, paramount and continuing order of business for today:

- 1—Local Bills and General Bills with local application
- 2—House Bill 71 on page 62
- 3—Senate Bill 143 on page 16
- 4—Senate Bill 9 on page 5
- 5—House Bill 234 on page 51
- 5A—Senate Bill 401 on page 61
- 6—House Bill 540 on page 31
- 7—House Bill 133 on page 31
- 8—House Bill 12 on page 50
- 9—House Bill 136 on page 52
- 10—Senate Bill 390 on page 54
- 11—Senate Bill 294 on page 41

12—Senate Bill 125 on page 6

13—Senate Bill 215 on page 23

14—Senate Bill 90 on page 24

15—House Bill 135 on page 56

On motion of Mr. Lamberth, the Resolution was adopted by the Senate.

Messrs. Little, Lamberth, Flowers, Shelton, Robison, Cooper, Leonard, Vann, Yarbrough (Autauga), Roberts, Engelhardt, Allen, Skidmore, Grisham, Goodwin, Smith, Boutwell, Jame, Moses, Yarbrough (Randolph), Givhan, Bradford, Tate, Newton, Jones, Metcalf, and Cantrell offered the following Senate Joint Resolution, to-wit:

S. J. R. 70. Relating to a revision and codification of the insurance laws of Alabama; providing for a joint legislative committee, authorizing and directing such committee, in cooperation with the Governor's office, the Superintendent of Insurance, the Attorney General's office, the insurance industry, and others concerned with the insurance laws, and in conjunction with the Legislative Council, to revise and codify the laws of Alabama relating to insurance, for submission through the Legislative Council to the 1959 Regular Session of the Legislature.

WHEREAS, insurance is an industry affected with a public interest and is of great economic importance to the people of the State of Alabama; and

WHEREAS, the unprecedented development in the economy of this State has been accompanied by a tremendous expansion in the insurance industry both in volume and in kinds and forms of insurance coverage demanded by the insuring public; and

WHEREAS, it has been found that the laws of the State of Alabama pertaining to insurance are in many instances antiquated and wholly inadequate; and

WHEREAS, members of the insurance industry and others concerned with insurance laws, also certain recent events, have repeatedly emphasized that the public interest requires a revision and re-codification of the State's insurance laws; and

WHEREAS, it is manifest, in view of the decision of the Supreme Court of the United States in *United States vs. South-Eastern Underwriters Association* (322 U. S. 533, 88 L. Ed. 1440, 64 Sup. Ct. 1162), and the provisions of the Act of Congress of March 9, 1945 (59 Stat. 33, 15 U. S. C. 1011-1015), that the existence of adequate state insurance statutes is indispensable for the preservation of the integrity of state jurisdiction over the regulation and taxation of the business of insurance; and

WHEREAS, it has been the experience of a number of other states that a unified, modern insurance code is the most effective means of obtaining clarity and certainty and a more satisfactory administration of insurance laws of the several jurisdictions; and

WHEREAS, it is imperative that the insurance laws of this State be studied, revised, supplemented and recodified into an adequate and consistent whole; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be established a joint legislative committee on the preparation of an insurance code, to consist of four members of the House of Representatives and three members of the Senate. The House members of the committee shall be ap-

pointed by the Speaker of the House and the Senate members shall be appointed by the President of the Senate. The members of the committee shall select a chairman and vice chairman from among their number.

RESOLVED FURTHER, That said committee, in cooperation with the Governor's office, the offices of the State Superintendent of Insurance and the Attorney General, representatives of the insurance buying public, the insurance industry and others concerned with insurance laws, and in conjunction with the Legislative Council, shall revise and recodify the laws of this State relating to insurance. The committee shall meet at the call of the chairman, or at the request of any two members of the committee. The members of the committee shall receive their regular legislative compensation and allowances for each day they serve, not to exceed fifty days all together.

RESOLVED FURTHER, that it shall be the function, power and duty of the committee to select and appoint a reputable and qualified person, firm, or corporation experienced in the drafting of insurance digests or codes to prepare an insurance code dealing with all phases of the law pertaining to insurance, said proposed code to be completed on or before the first Friday in October 1958. The insurance industry, buyers of insurance and the public in general shall be informed of the contemplated recodification through news releases to the press and through such other means as may be deemed necessary or desirable by the committee. The committee shall hold public hearings thereon and shall submit the manuscript for such code as it may approve to the Legislative Council on or before the first Tuesday after the second Monday in November 1958; and the Legislative Council shall submit such code to the Legislature in bill form not later than the fifth legislative day of the 1959 Regular Session of the Legislature.

RESOLVED FURTHER, that the committee shall have authority to determine and fix the compensation to be paid the person, firm or corporation selected and appointed for the drafting of an insurance code, and may pay the per diem and expenses of the members of the committee and all other expenses incurred by the committee in carrying out its duties from any funds appropriated for the payment of expenses of any legislative session; provided, that the aggregate amount thereof for all purposes shall not exceed twenty-five thousand dollars (\$25,000).

On motion of Mr. Little, the Rules were suspended and the resolution adopted by the Senate.

Mr. Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 71. BE IT RESOLVED by the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Friday, August 9, 1957.

On motion of Mr. Lamberth, the Rules were suspended and the resolution adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 153. Relating to public health; amending further Section 9 of Title 22, Code of Alabama 1940.

Was taken up.

Mr. Robison offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 153

A BILL
TO BE ENTITLED
AN ACT

Relating to public health; amending further Section 9 of Title 22, Code of Alabama 1940.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 9 of Title 22, Code of Alabama 1940, as amended by an act approved July 21, 1953, Act No. 213, General and Local Acts 1953, page 281, be and the same is hereby amended further to read as follows:

"Section 9. The State Board of Health shall elect an executive officer to be known as the state health officer, and shall fix his term of office and salary (such salary not to exceed twelve thousand (\$12,000.00) per annum). The state health officer so elected shall, under the direction of the state board of health and with the approval of the state personnel board, fix the salaries of the medical employees of the state board of health, the amount of any salary so fixed not to exceed nine thousand dollars (\$9,000.00) per annum, provided that the salaries of such physicians holding a graduate degree or certificate in public health, or who is a diplomate of a specialty board established by the American Medical Association may be fixed at any amount which does not exceed an amount that is one thousand dollars (\$1,000.00) per annum less than the salary of the state health officer. The state health officer shall exercise general supervision over county boards of health and county health officers, and promptly report to said county board of health any delinquencies of official duty on the part of said county health officers, which may come to his knowledge; keep himself informed in regard to all diseases which may be in danger of invading the state, and, as far as authorized by law, take prompt measures to prevent such invasions; and keep the governor informed as to the health conditions prevailing in the state, especially as to outbreaks of any of the diseases enumerated in section 47 of this title, and submit to the governor such recommendations as he deems proper to control such outbreaks."

Section 2. This act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalfe	Tate
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	—30

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 30; Nay 1.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Leonard	Smith
Bradford	Flowers	Little	Tate
Calvin	Givhan	Moses	Vann
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Hall	Robison	—30

Nay: Mr. James

—1

MOTION IN WRITING

Mr. Bradford offered the following Motion in Writing:

MOTION TO AMEND RULE 23

Mr. President:

Pursuant to the notice in writing given on the last legislative day in accordance with Rule 33, I now move that Rule 23 of the Senate be amended to read as follows:

"Rule 23. When the reading in full or at length of any bill, except a bill on third reading, or any resolution, petition, memorial, or other paper is called for and the reading at length of such paper is objected to by a member, the question shall be determined by a majority vote of the Senate without debate."

Bradford.

Which was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Dawkins, Hall, Nolen and Goodwyn:

H. 939. To authorize the court of county commissioners, board of revenue or like governing body of each county having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to pay pensions to certain former employees of the county.

Also:

By Mr. Harrison:

H. 940. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Wilsonville, in said county.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Wilsonville, in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department, any bank situated in Shelby County shall be authorized to open, establish, operate and maintain at Wilsonville in said county, a branch bank, branch office, or other place of business for the receipt of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

July 4, 11, 18, 25.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said county in said State, this day personally appeared Luther Fowler, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Shelby County Reporter, a newspaper of general circulation published in Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1957.

LUTHER FOWLER.

Sworn to and subscribed before me this 29th day of July, 1957.

MARTHA B. JOINER,
Notary Public.

Also:

By Messrs. Selman and Shumate:

H. 943. To abolish the office of county treasurer of Walker County and to establish in lieu thereof the office of county comptroller of Walker County; to provide for the election of the county comptroller, and to prescribe his powers, duties, term, and compensation.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To abolish the office of county treasurer of Walker County and to establish in lieu thereof the office of county comptroller of Walker County; to provide for the election of the county comptroller, and to prescribe his powers, duties, terms, and compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of county treasurer of Walker County is abolished, and there is created in lieu thereof the office of county comptroller of Walker County. However, the incumbent county treasurer shall serve as county comptroller until the first Monday after the second Tuesday in January, 1961, and until his successor is elected and qualified as provided in this Act.

Section 2. At the general election to be held in November, 1960, and every four years thereafter, there shall be elected by the qualified electors of Walker County, county comptroller who shall hold office for a term of four years from the first Monday after the second Tuesday in January next after his election and until his successor is elected and qualified.

Section 3. The county comptroller of Walker County shall receive an annual salary of five thousand four hundred dollars (\$5,400.00), payable out of the general funds of the county in equal monthly installments.

Section 4. Except as otherwise provided in this Act, the county comptroller of Walker County shall have all the powers and duties vested by general laws of the State in county treasurers, and he shall, in addition thereto, serve as custodian of the funds of the People's Hospital. He shall deposit all public funds in some bank or banks in Walker County, which are accepted and recognized by the court of county commissioners, board of revenue or like governing body of the county as a legal depository. He shall arrange with the bank for the best obtainable interest on all deposits and the interest paid upon the deposits shall belong to Walker County and the treasurer shall account for and be responsible for such interest. The county comptroller shall assist the court of county commissioners, board of revenue or like governing body of the county in preparing its annual budget. Between the first and the tenth days of each month, the county comptroller shall make a duplicate monthly report showing all funds received by him during the previous month, and from what sources received, and showing all disbursements made by him and for what general purpose, and he shall file one copy of the report with the court of county commissioners, board of revenue or like governing body of the county, and he shall keep one copy of the report on file in his office, and such reports shall be public documents or records. The county comptroller shall make a duplicate annual report showing in detail all monies received by him, and from what sources, and showing all disbursements by him, and for what paid; and in such annual report he shall list and show all indebtedness of the county shown by his records whether bonds, warrants, or other indebtedness, and shall designate for what purpose the board issues were made and for what purpose the warrant issues were made, and shall show the amount of interest each of such securities bears. One copy of such report shall be filed with the court of County commissioners, board of revenue or like governing body of the county, and one copy be kept on file by him, and each shall be a public document or record. Whenever any officer of Walker County is placed on a salary, by legislation enacted under the provisions of Amendment L of the

Constitution, or in any other lawful manner, the county comptroller of Walker County shall audit the fee and commission reports made each month by such officer, and shall keep a record of all the fees and commissions paid into the county treasury, to the credit of the respective office making such payments into the treasury; approve for payments all salary warrants authorized by law to be paid to the officer and his office personnel; and keep a record of such payments and charge the payments against the costs of running or operating such office.

Section 5. The court of county commissioners, board of revenue or like governing body of Walker County shall provide the county comptroller with a clerk-hire fund of (\$900) per annum, which sum shall be paid as needed out of the general funds of the county.

Section 6. Before entering upon the duties of his office, the county comptroller of Walker County shall give bond as provided by law with good and sufficient securities, which bond shall be in sum not less than fifty thousand dollars (\$50,000.00). Such bond, after its approval, shall be filed and recorded in the office of the judge of probate of the county. The court of county commissioners, board of revenue or like governing body of the county may, in its discretion, require an additional bond when any special fund is to be received by the comptroller, and pay the premium thereon.

Section 7. All laws or parts of laws in conflict with the provisions of this Act are repealed. Act No. 382, H. 963, approved September 26, 1923 (Local Acts of Alabama, 1923, p. 249), which provided for the election of a county treasurer of Walker County, and all acts amendatory, thereof, are expressly repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Travis H. Johnson
T. K. Selman
Member of State Legislature
Alonzo Shumate

7-4-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Margaret Phillips, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1957.

MARGARET PHILLIPS.

Sworn to and subscribed before me July 26, 1957.

FAY O'REAR,
Notary Public.

Also:

By Messrs. Shumate and Selman:

H. 944. To provide further for paid leaves of absence for certain employees of counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Also:

By Messrs. Lackey, Perry, Nice, Vacca and Edwards (Jefferson):

H. 902. Relating to counties having a population of 500,000 or more inhabitants according to the last or any subsequent federal census; to prohibit the depositing of trash, refuse, garbage, glass, or other sharp cutting substances or rubbish of any kind whatsoever in or upon any public park, roadway or right of way of any public street, avenue or highway, or upon or along any private road without owner's consent, and to require the prompt removal of all dead animals from any public park, highway or right of way by the owner or owners thereof and to provide that the violation of this act shall constitute a misdemeanor and to provide for the enforcement of this act and the penalties for violation thereof.

Also:

By Messrs. Lackey, Vacca, Perry, Nice, Edwards (Jefferson) and Kaul:

H. 904. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

Also:

By Messrs. Lackey, Perry, Vacca, Nice, Edwards (Jefferson) and Kaul:

H. 905. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Lackey, Perry, Nice, Edwards (Jefferson), and Kaul:

H. 906. To provide for the compensation to be paid the First Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama, appointed by the Solicitor, the Second Deputy Circuit Solicitor, appointed by the Solicitor, the Third Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama, appointed by the Solicitor, the Fifth Deputy Circuit Solicitor, appointed by the Solicitor, the Sixth Deputy Circuit Solicitor, appointed by the Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in the Jefferson County Court of Misdemeanors and the Deputy Circuit Solicitor appointed by the Solicitor to serve in the Juvenile and Domestic Relations Court, in counties having a population of four hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the effective date when said Act shall go into effect.

Also:

By Messrs. Perry, Lackey, Vacca, Nice and Edwards (Jefferson):

H. 907. To establish an Inferior Court for Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and

other officers thereof; to provide for a place of holding said court, the terms and salary of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries, and to provide that the Act shall go into effect on the first day of January 1959.

With notice and proof thereto attached and herewith exhibited as follows:

LEGISLATIVE NOTICE

Notice is hereby given that a Bill will be introduced at the present session of the Legislature, 1957 to establish an Inferior Criminal Court of Jefferson County, Alabama to be known as the Jefferson County Criminal Court, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof, to provide for a place of holding said court and the terms and salaries of said judge and officers of said court and the manner of their appointment and election and the payment of their salaries, and to provide that said Act shall go into effect on the First day of January, 1959.

Messenger—May 18, 25; June 1, 8, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Eleanor Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 18, 25, June 1, 8, 1957, a legal notice, a copy of which is hereto attached.

ELEANOR ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 10 day of June, 1957.

BILLIE FOSTER,
Notary Public.

Also:

By Messrs. Kaul, Lackey, Nice, Perry, Adams (Jefferson), Vacca and Edwards (Jefferson):

H. 908. To amend Section 3 of Act No. 564, entitled An Act to regulate the trials of Civil Cases in Jefferson County, approved September 9, 1949 (Acts of Alabama 1949, page 891).

Also:

By Messrs. Lackey, Kaul, Nice, Adams (Jefferson), Vacca, Edwards (Jefferson) and Perry:

H. 909. To change the name of the Municipal Court of Birmingham to the Court of Common Claims of Jefferson County, Alabama; and to fix the salary of the Judge of the said Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill will be presented to the present session of the Legislature of Alabama to change the name of the Municipal Court of Birmingham to the Court of Common Claims of Jefferson County, Alabama; and to fix the salary of the Judge of the said court.

East End News: May 16, 23, 30, June 6, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 18 day of June A.D. one thousand nine hundred and 57 personally appeared before me, George H. Watson, a Notary Public in and for the County and State aforesaid Mildred B. Watson, who being duly sworn according to law, declares that she is bookkeeper of The East End News, a newspaper published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in The East End News on the following dates: May 16, 23, 30, June 6, 1957.

MILDRED B. WATSON.

Subscribed and sworn to before me this 18 day of June A. D. 1957.

GEO. H. WATSON,
Notary Public.

Also:

By Messrs. Nice, Edwards (Jefferson), Vacca, Lackey and Perry:

H. 910. To amend Section 11 of Title 27 of the Code of Alabama (1940), which relates to proceedings to legitimate bastard children.

Also:

By Messrs. Lackey, Nice, Adams (Jefferson), Vacca, Edwards (Jefferson, Perry and Kaul:

H. 911. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Lackey, Nice, Kaul, Perry, Edwards (Jefferson), Adams (Jefferson) and Vacca:

H. 912. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

Also:

By Messrs. Perry, Nice, Kaul, Lackey, Vacca, Edwards (Jefferson) and Adams (Jefferson):

H. 913. To fix the salary of the Judge of the Juvenile and Domestic Relations Court of any County in this State having a population of 400,000 or more according to the last or any subsequent decennial Federal census.

Also:

By Messrs. Lackey, Kaul, Nice, Adams (Jefferson), Edwards (Jefferson), Vacca and Perry:

H. 914. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

Also:

By Messrs. Lackey, Kaul, Vacca, Adams (Jefferson), Edwards (Jefferson), Nice and Perry:

H. 915. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of four hundred thousand (400,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Lackey, Adams (Jefferson), Nice, Kaul, Vacca, Edwards (Jefferson) and Perry:

H. 929. To further Section 94 of Title 51 of the Code of Alabama (1940), as amended, which relates to the term of service and compensation of members of the several county boards of equalization.

Also:

By Messrs. Edwards (Jefferson), Lackey, Nice, Perry, Vacca, Kaul and Adams (Jefferson):

H. 930. To provide for the compensation to be paid the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

Also:

By Messrs. Edwards (Jefferson), Lackey, Nice, Perry, Vacca, Kaul and Adams (Jefferson):

H. 931. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199, of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

By Messrs. Edwards (Jefferson), Vacca, Lackey, Adams (Jefferson), Nice, Perry and Kaul:

H. 932. To authorize the Sheriff of Jefferson County, Alabama to appoint an assistant to the Sheriff for the Bessemer Division of said County: to fix his compensation: the method of payment; term or tenure of office; the manner of his appointment; to abolish the office of Chief Deputy Sheriff in the Bessemer Division of Jefferson County, Alabama; to provide his duties and to otherwise provide for said office.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that the following bill or a bill in substance as follows will be introduced and its passage urged at the next session of the Legislature:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Sheriff of Jefferson County, Alabama to appoint an assistant to the Sheriff for this Bessemer Division of said County; to fix his compensation; the method of payment; term or tenure of office; the manner of his appointment; to abolish the office of Chief Deputy Sheriff in the Bessemer Division of Jefferson County, Alabama; to provide his duties and to otherwise provide for said office.

The Bessemer Advertiser,

March 22-29, April 5-12, 1957.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared B. M. McElroy, who being duly sworn, says on oath that he is Editor-Publisher of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for 4 weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were March 22, March 29, April 5, and April 12, 1957, and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice.

Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 26 day of April, 1957.

W. E. MILLER,
Notary Public.

Also:

By Messrs. Edwards (Jefferson), Lackey, Vacca, Adams (Jefferson), Nice, Perry and Kaul:

H. 933. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of not less than 28,000 nor more than 29,000 inhabitants according to the last Federal Census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such commission for his services as such supervisor out of the funds of such municipal light and power system,

and municipal water system, one or either of them; To provide that this Act shall become effective on the first Monday in October, 1958.

Also:

By Messrs. Vacca and Speaks:

H. 89. To provide for the support, operation and maintenance of the Alabama Wing, Civil Air Patrol; making appropriations for such purpose.

Also:

By Mr. Gilchrist:

H. 773. To amend further Section 207 of Title 22, Code of Alabama (1940), which relates to the organization of the Alabama State Milk Control Board, and the appointment, qualifications, terms, and compensation of its members.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 939, 940, 943, 944, 902, 904, 905, 906, 907, 908, 909, 911, 912, 913, 914, 915, 930, 931, 932, and 933—To the Committee on Local Legislation

H. B. 910—To the Committee on Judiciary

H. B.'s 929 and 89—To the Committee on Finance and Taxation

H. B. 773—To the Committee on Public Health

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Edwards (Jefferson), Lackey, Perry, Nice, Vacca, Adams (Jefferson) and Kaul:

H. 657. To authorize and make provision for the incorporation in any City of the State of Alabama having a population of 300,000 or more according to the last or any subsequent federal census of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that any City for which an authority has been organized under this act may aid and cooperate in the planning, undertaking construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey, or transfer money, real property, personal

property, mixed property or any right capable of transfer to such authority; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom, the property of said authority, and the business and activities conducted or engaged in by said authority; to authorize the investment of municipal funds in bonds of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge, and indenture and the proceedings authorizing the same; to provide that the provisions of this act shall be cumulative; to provide for audits of the books and accounts of the authority and to provide that the provisions of this act shall be severable; to protect certain civil service and pension rights of employees of municipal airports taken over by such authority; to provide for competitive bidding on construction contracts in excess of ten thousand dollars; to provide for a date upon which this act shall become effective.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 657—To the Committee on Local Legislation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Lackey, Vacca, Perry, Nice and Edwards (Jefferson):

H. 903. To authorize each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, to sell and issue from time to time not exceeding \$1,500,000 in principal amount of interest-bearing warrants for the purpose of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein; to provide that such warrants shall evidence general obligation indebtedness of the county by which they are issued; to require public sale of any such warrants; to require the pledge and

use for payment of the principal of and the interest on such warrants of so much as may be necessary for such purpose of the proceeds of the special cigarette and smoking tobacco license taxes levied in each such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county; to specify the effect and priority of each such pledge; to require the use of certain surplus cigarette and smoking tobacco license tax proceeds for the redemption or purchase for retirement of such warrants; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for executors, administrators, trustees and other fiduciaries; to provide that the provisions of this act shall control the provisions of any inconsistent law; and to provide that the issuance of any warrants and the interest coupons applicable thereto pursuant to the provisions of this act shall constitute the audit and allowance of claims against the county by which they are issued and against the proceeds of such tax proceeds pledged for such warrants and coupons.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 903—To the Committee on Local Legislation

MOTION TO ADJOURN LOST

At 5:15 P. M., Mr. Tate moved that the Senate adjourn until Friday, August 9, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Dyar	James	Skidmore
Bradford	Eddins	Jones	Tate
Cooper	Givhan	Leonard	Van Antwerp
Davis (Pickens)	Hall	Newton	—14

Nays:

Messrs.:	Goodwin	Moses	Smith
Allen	Grisham	Reeves	Vann
Boutwell	Lamberth	Roberts	Yarbrough (Autauga)
Calvin	Little	Robison	Yarbrough (Randolph)
Flowers	Metcalf	Shelton	—18

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Hanby, Oden, Wood, and Locke (Choctaw):

H. 44. To authorize the State Oil and Gas Board to establish unit operations of a pool or pools, or any portion or portions or combinations thereof, in a field for the production of oil or gas, or both; to prescribe the method for establishing such unit operations; prescribing the method of adopting and promulgating rules and regulations governing such unit operations, and providing for hearings relative thereto and the promulgation of orders in connection therewith.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 44—To the Committee on Forestry and Conservation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Mr. Hall:

H. 410. To amend Section 215 of Title 22, Code of Alabama (1940), which prescribes the license fees payable by persons licensed by the Alabama State Milk Control Board.

Also:

By Messrs. deGraffenried, Martin, Ramey, Hawkins, Dawkins, Lee (Barbour), Simon, Matthews, Brown (Lamar), Davis and Selman:
H. 517. To amend further Section 249 of Title 55, Code of Alabama (1940), which fixes the salary of the state geologist.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 410 and 517—To the Committee on Finance and Taxation

BILLS ON THIRD READING RESUMED

The Bill:

S. 174. To make an appropriation to provide for the construction of an auditorium at the Piedmonth Agricultural Experiment Sub-station in Tallapoosa County.

Was taken up.

The Standing Committee on Finance and Taxation reported the following amendment to the bill, to-wit:

FINANCE AND TAXATION COMMITTEE AMENDMENT TO S. B. 174

Amend the bill, S. B. 174, as follows:

Change the period at the end of the caption to a comma and add the following words: and to provide for the construction of a residence at the Lower Coastal Plains Substation at Camden in Wilcox County.

Also, strike out Section 2 of the bill entirely and substitute therefor the following:

Section 2. The sum of fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, is hereby appropriated from the general fund for the purpose of constructing a residence at the Lower Coastal Plains Substation at Camden in Wilcox County.

Further amend the bill by re-numbering Section 2 of the bill as Section 3.

On motion of Mr. Flowers, the Amendment was laid on the table.

Mr. Flowers then offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 174

A BILL TO BE ENTITLED AN ACT

To make an appropriation to provide for the construction of an auditorium at the Piedmont Agricultural Experiment Substation in Tallapoosa County, and for the construction of a residence at the Lower Coastal Plains Substation at Camden in Wilcox County.

Be It Enacted by the Legislature of Alabama:

Section 1. The sum of fifty-seven thousand five hundred dollars (\$57,500), or so much thereof as may be necessary, is hereby appropriated from any funds in the state treasury not otherwise appropriated, for the following uses and purposes: forty-two thousand five hundred dollars (\$42,500), or so much thereof as may be necessary, shall be used for the purpose of constructing and equipping an auditorium at the Piedmont Agricultural Experiment Substation in Tallapoosa County; fifteen thousand dollars (\$15,000), or so much thereof as may be necessary, shall be used for the purpose of constructing a residence at the Lower Coastal Plains Substation at Camden in Wilcox County. The appropriation herein made shall be released in the manner prescribed by law for the release of appropriations made for the use of Alabama Polytechnic Institute, and shall continue in effect until the purposes for which it is made are accomplished.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Which was adopted.

Yeas 29; Nays 0.

Yeas:

Messrs.:	Dyar	James	Robison
Allen	Eddins	Jones	Shelton
Boutwell	Engelhardt	Lamberth	Smith
Bradford	Flowers	Metcalf	Tate
Calvin	Givhan	Newton	Van Antwerp
Cantrell	Goodwin	Reeves	Yarbrough (Aulanga)
Cooper	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Hall		—29

Nays:

—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 0.

Yeas:

Messrs.:	Dyar	Hall	Roberts
Allen	Eddins	James	Robison
Boutwell	Engelhardt	Jones	Shelton
Bradford	Flowers	Lamberth	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Pickens)			—28

Nays: —0

The Bill:

S. 398. To amend Section 2 of Act No. 843, General Acts of 1953, page 1135, entitled "An Act relating to the powers of municipalities: to authorize the governing body of any city or town to alienate municipal property which is not needed for public or municipal purposes," to provide that in counties having a population of not less than 225,000 and not more than 400,000 inhabitants, according to the last or any subsequent federal decennial census, the limitation of the term of such leases to a period of ninety-nine years shall not apply to any oil, gas or mineral lease made in accordance with such ordinance.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Newton	Tate
Cooper	Hall	Reeves	Van Antwerp
Davis (Pickens)	James	Roberts	Vann
Dyar	Jones	Robison	Yarbrough (Autauga)
Eddins	Metcalf	Smith	Yarbrough (Randolph)
Goodwin	Moses		—21

Nays: —0

The Bill:

S. 402. To provide that in each county of the State of Alabama having 500,000 or more population according to the last or any subsequent Federal census in equity suits the depositions of witnesses or parties upon oral examination for discovery or for use as evidence may be taken as provided in Act No. 375 of the Legislature of Alabama of 1955, approved September 8, 1955 (Acts of Alabama of 1955, page 901 et seq.); to provide that in each such county in equity suits the scope of the examination, the use of such depositions, the effect of using such depositions, the method of compelling the attendance of the person sought to be examined and the penalties for the failure of such person to appear for such examination, shall be the same as provided for by said Act No. 375 of the Legislature of Alabama of 1955; to provide that the provisions of this Act shall apply to future suits and pending suits in any such county and also to depositions heretofore taken in pending suits, provided the party or parties taking such depositions in taking the same proceeded under said Act No. 375 of the Legislature of Alabama of 1955; and to provide that the provisions of any law or rule of court in conflict with the provisions of this Act shall be repealed to the extent of such conflict.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Tate
Allen	Eddins	Little	Van Antwerp
Boutwell	Engelhardt	Metcalf	Vann
Bradford	Flowers	Moses	Yarbrough (Autauga)
Calvin	Givhan	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays:

—0

The Bill:

S. 399. Relating to Madison County; changing the method of compensating the judge of probate; placing such officer on a salary; and providing for his assistants, and the office equipment, supplies, services, and materials necessary for the conduct of his office.

Was taken up.

Mr. Vann offered the following substitute for the bill, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; changing the method of compensating the judge of probate; placing such officer on a salary; and providing for his assistants, and the office equipment, supplies, services, and materials necessary for the conduct of his office.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Madison County shall receive an annual salary of twelve thousand dollars (\$12,000) in lieu of all other compensation provided by law.

Section 2. The judge of probate shall appoint his own clerks and assistants, and fix their compensation, but the total combined compensation of all such clerks and assistants shall not exceed the sum of \$30,000.00 per annum, which compensation not to exceed the said sum of \$30,000.00 shall be provided by the Court of County Commissioners, Board of Revenue or like governing body of Madison County.

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of the judge of probate of Madison County shall be collected for the use of the county and paid into the general fund of the county. The compensation of the judge of probate and of his clerks and assistants shall be paid in equal monthly installments from the general fund of the county in the same manner as employees of the county are paid.

Section 4. The court of county commissioners, board of revenue or like governing body of Madison County shall provide the judge of probate with the necessary books, stationery, office equipment, supplies, postage, telephone service, and other conveniences and equipment as shall be necessary for the proper and efficient conduct of the affairs of his office.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective at the expiration of the term of the incumbent judge of probate of Madison County, and upon the ratification of an amendment to the Constitution of Alabama authorizing the Legislature to enact laws regulating the compensation of such offices.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Newton	Skidmore	
Allen	Eddins	Reeves	Smith	
Boutwell	Engelhardt	Roberts	Tate	
Bradford	Flowers	Robison	Van Antwerp	
Calvin	Givhan	Shelton	Vann	
Cantrell	Goodwin			—21
Nays:				—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Newton	Skidmore	
Allen	Eddins	Reeves	Smith	
Boutwell	Engelhardt	Roberts	Tate	
Bradford	Flowers	Robison	Van Antwerp	
Calvin	Givhan	Shelton	Vann	
Cantrell	Goodwin			—21
Nays:				—0

The Bill:

H. 554. Relating to Cullman County; changing the method of compensating certain officers of the county; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Tate	
Allen	Dyar	Leonard	Van Antwerp	
Boutwell	Grisham	Little	Vann	
Bradford	Hall	Shelton	Yarbrough (Autauga)	
Calvin	James	Smith	Yarbrough (Randolph)	
Cantrell	Jones			—21
Nays:				—0

The Bill:

H. 652. To extend, alter, rearrange and define the boundary lines and corporate limits of the Town of Georgiana, in Butler County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Leonard	Tate
Allen	Grisham	Newton	Van Antwerp
Boutwell	Hall	Reeves	Vann
Davis (Pickens)	James	Shelton	Yarbrough (Autauga)
Dyar	Jones	Skidmore	Yarbrough (Randolph)
Givhan	Lamberth		—21

Nays:

—0

The Bill:

H. 674. Relating to Walker County: To authorize the City of Jasper to convey certain property to Walker College, Incorporated.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Newton
Allen	Davis (Pickens)	Leonard	Van Antwerp
Boutwell	Dyar	Little	Vann
Bradford	Flowers	Metcalf	Yarbrough (Autauga)
Calvin	Givhan	Moses	Yarbrough (Randolph)
Cantrell	Goodwin		—21

Nays:

—0

The Bill:

S. 403. To amend Section 315 of Title 62, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Was read a third time at length and passed and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwin	Moses
Allen	Davis (Pickens)	Lamberth	Van Antwerp
Boutwell	Eddins	Leonard	Vann
Bradford	Engelhardt	Little	Yarbrough (Autauga)
Calvin	Flowers	Metcalf	Yarbrough (Randolph)
Cantrell	Givhan		—21

Nays:

—0

The Bill:

S. 406. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Newton
Allen	Eddins	Leonard	Van Antwerp
Boutwell	Engelhardt	Little	Vann
Bradford	Hall	Metcalf	Yarbrough (Autauga)
Calvin	James	Moses	Yarbrough (Randolph)
Cantrell	Jones		—21

Nays: —0

MOTION TO ADJOURN LOST

At 5:50 P. M., Mr. Cooper moved that the Senate adjourn until Friday, August 9, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 12; Nays 20.

Yeas:

Messrs.:	Davis (Pickens)	Givhan	Shelton
Bradford	Eddins	James	Tate
Cantrell	Engelhardt	Newton	Yarbrough (Autauga)
Cooper			—12

Nays:

Messrs.:	Goodwin	Leonard	Robison
Allen	Grisham	Little	Skidmore
Boutwell	Hall	Moses	Smith
Calvin	Jones	Reeves	Vann
Dyar	Lamberth	Roberts	Yarbrough (Randolph)
Flowers			—20

BILLS ON THIRD READING RESUMED

The Bill:

S. 407. To create the Russell County juvenile court; to prescribe the jurisdiction, powers, duties, and functions of the court; to provide for the election, term, duties, and compensation of the judge of the court; to abolish the juvenile court of Russell County and provide for the transfer of certain proceedings pending therein to the Russell County juvenile court; to provide for the transfer of certain judgments rendered in the juvenile court of Russell County, and all records pertaining thereto, to the Russell County juvenile court created by this Act; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Smith
Boutwell	Flowers	Metcalf	Tate
Bradford	James	Moses	Van Antwerp
Davis (Pickens)	Jones	Shelton	Vann
Dyar	Lamberth		—21

Nays: —0

The Bill:

S. 408. To alter, re-arrange and extend the boundaries of the town of Parrish in Walker County.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwin	Roberts
Allen	Dyar	Metcalf	Robison
Boutwell	Eddins	Moses	Vann
Bradford	Engelhardt	Newton	Yarbrough (Autauga)
Calvin	Flowers	Reeves	Yarbrough (Randolph)
Cantrell	Givhan		—21

Nays:

—0

The Bill:

S. 409. To amend Section 3 of an act approved June 19, 1951, entitled "An Act Relating to all cities in the State of Alabama having a population of not less than 47,000 people nor more than 100,000 people, according to the preliminary count of April 1, 1950, of the 1950 Federal Census or any succeeding regular decennial Federal Census; providing for the name, number and designation of members of the governing body of all such cities; providing for the selection and employment of employees in all such cities and prescribing the authority of the governing body of such cities with respect to said employees; providing for distribution of the powers and duties of and among the members of the governing body of each such city, and providing for their compensation for duties herein imposed; providing for their compensation for duties herein imposed; providing for the time when the provisions of this act shall become effective; and repealing all laws or parts of laws, general or special, in conflict with the provisions hereof" (Act No. 112, H. 380, Acts of 1951, p. 337); and making the provisions of the amendatory Act depend upon the favorable vote of the qualified electors voting at a referendum held for such purpose.

Was read a third time at length and passed, and ordered sent forth-with to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Newton
Allen	Goodwin	Leonard	Reeves
Boutwell	Grisham	Little	Roberts
Bradford	Hall	Metcalf	Shelton
Calvin	James	Moses	Skidmore
Cantrell	Jones		—21

Nays:

—0

The Bill:

S. 410. To amend an act approved September 4, 1951, entitled "An Act Relating to cities having populations of not less than 50,000 nor more than 100,000 inhabitants; creating and establishing within such cities a civil service system to govern the appointment, tenure, compensation, conditions of employment, and removal of certain officers and employees of such cities" (Act No. 671, H. 921, Acts of 1951, Vol. II, p. 1158); making the operation of the amendatory Act depend upon the favorable vote of the qualified electors voting at a referendum called for such purpose.

Was taken up.

Mr. Roberts offered the following amendment to the bill, to-wit:

Amend Section 6 of the bill, S. B. 410, by changing the period at the end of the sentence ending with the last word on page 1 of the bill to a semicolon, and then adding the following words: provided, that no person shall be appointed to fill the vacancy except a member of the police or the fire department, as the case may require, who is certified by the civil service board as being eligible for such appointment.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	James	Roberts	Tate
Cooper	Jones	Robison	Van Antwerp
Davis (Pickens)	Lamberth	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Grisham	Newton	Smith	Yarbrough (Randolph)
Hall	Reeves		—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	James	Roberts	Tate
Cooper	Jones	Robison	Van Antwerp
Davis (Pickens)	Lamberth	Shelton	Vann
Dyar	Moses	Skidmore	Yarbrough (Autauga)
Grisham	Newton	Smith	Yarbrough (Randolph)
Hall	Reeves		—21

Nays: —0

The Bill:

H. 734. Relating to all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Little	Tate
Calvin	Engelhardt	Metcalf	Van Antwerp
Cantrell	Flowers	Moses	Vann
Cooper	Jones	Newton	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Shelton	Yarbrough (Randolph)
Dyar	Leonard		—21

Nays: —0

The Bill:

H. 739. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Was read a third time at length as required by the Constitution, and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Leonard	Tate
Allen	Grisham	Reeves	Van Antwerp
Boutwell	Hall	Shelton	Vann
Cooper	James	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Jones	Smith	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays: —0

The Bill:

H. 741. To alter or re-arrange the boundary lines of the Town of Geraldine, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Reeves
Allen	Davis (Pickens)	Goodwin	Van Antwerp
Boutwell	Dyar	Lamberth	Vann
Bradford	Eddins	Moses	Yarbrough (Autauga)
Calvin	Engelhardt	Newton	Yarbrough (Randolph)
Cantrell	Flowers		—21

Nays: —0

The Bill:

H. 742. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Goodwin	Robison
Allen	Davis (Pickens)	Lamberth	Van Antwerp
Boutwell	Dyar	Leonard	Vann
Bradford	Eddins	Little	Yarbrough (Autauga)
Calvin	Flowers	Roberts	Yarbrough (Randolph)
Cantrell	Givhan		—21

Nays: —0

The Bill:

H. 744. To provide for the relief of the Estate of William Henry Tennyson out of the General Fund of Jefferson County, Alabama, and to direct Jefferson County, Alabama to pay to the Administratrix of the Estate of William Henry Tennyson the sum of Three Thousand Dollars (\$3,000.00).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Moses
Allen	Davis (Pickens)	Goodwin	Shelton
Boutwell	Dyar	Grisham	Vann
Bradford	Eddins	Lamberth	Yarbrough (Autauga)
Calvin	Engelhardt	Metcalf	Yarbrough (Randolph)
Cantrell	Flowers		—21

Nays: —0

The Bill:

H. 763. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Leonard	Tate
Cantrell	Grisham	Little	Van Antwerp
Cooper	Hall	Shelton	Vann
Davis (Pickens)	James	Skidmore	Yarbrough (Autauga)
Dyar	Jones	Smith	Yarbrough (Randolph)
Givhan	Lamberth		—21

Nays: —0

The Bill:

H. 764. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Metcalf
Allen	Davis (Pickens)	Goodwin	Shelton
Boutwell	Dyar	Lamberth	Skidmore
Bradford	Eddins	Leonard	Smith
Calvin	Engelhardt	Little	Tate
Cantrell	Flowers		—21

Nays: —0

The Bill:

H. 771. To alter, rearrange and extend the boundaries of the City of Elba in Coffee County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Tate
Allen	Davis (Pickens)	Newton	Van Antwerp
Boutwell	Dyar	Reeves	Vann
Bradford	Grisham	Roberts	Yarbrough (Autauga)
Calvin	Hall	Robison	Yarbrough (Randolph)
Cantrell	James		—21

Nays: —0

The Bill:

H. 774. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances, and compensation of the judge of probate and other county officers of Madison County.

Was read a third time at length as required by the Constitution and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Grisham	Roberts	Tate
Cantrell	Hall	Robison	Van Antwerp
Cooper	James	Shelton	Vann
Davis (Pickens)	Jones	Skidmore	Yarbrough (Autauga)
Dyar	Newton	Smith	Yarbrough (Randolph)
Goodwin	Reeves		—21

Nays: —0

The Bill:

H. 777. To amend Section 5 of Act No. 163, Local Acts of Alabama 1943, entitled "An Act to establish a law and equity court for Cherokee County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations, to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the circuit court and the juvenile court of Cherokee County, Alabama, to the Cherokee Law and Equity Court; and to abolish the County Court of Cherokee County, Alabama; and to give the said court Juvenile Jurisdiction", and amended by Act No. 493, Local Acts of Alabama 1945.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Moses
Allen	Davis (Pickens)	Lamberth	Van Antwerp
Boutwell	Dyar	Leonard	Vann
Bradford	Eddins	Little	Yarbrough (Autauga)
Calvin	Engelhardt	Metcalf	Yarbrough (Randolph)
Cantrell	Flowers		—21

Nays: —0

The Bill:

H. 778. To Repeal Act No. 584, Acts of Alabama 1951, approved August 30, 1951, entitled "An Act relating to Cherokee County; providing for the payment by the county of the compensation of the Chief Clerk in the office of the Judge of Probate."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Tate
Allen	Davis (Pickens)	Moses	Van Antwerp
Boutwell	Dyar	Shelton	Vann
Bradford	Eddins	Skidmore	Yarbrough (Autauga)
Calvin	Engelhardt	Smith	Yarbrough (Randolph)
Cantrell	James		—21

Nays: —0

The Bill:

H. 779. Amending Sections 1, 2 and 3 of Local Act No. 162, Local Acts of Alabama 1943, entitled "An Act to fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the County Solicitor of Cherokee County, the Sheriff of Cherokee County; To provide for his Deputies and to provide for Clerical Assistance and other expenses of said Officers of Probate Judge and Sheriff; To require each of said Officers to collect all the fees, compensation and allowances heretofore collected by said Officers and which may hereafter be collected by said Officers and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary of Clerical Assistance and other Office expense by the Treasury of the County", as amended by Act No. 121, Acts of Alabama, 1955.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Grisham	Moses
Allen	Davis (Pickens)	Lamberth	Shelton
Boutwell	Dyar	Leonard	Skidmore
Bradford	Flowers	Little	Yarbrough (Autauga)
Calvin	Givhan	Metcalf	Yarbrough (Randolph)
Cantrell	Goodwin		—21

Nays: —0

The Bill:

H. 782. Relating to Conecuh County: To provide further for purging the registration lists of the names of those electors of Conecuh County who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by requiring the re-registration of electors of the county registered on or after January 1, 1903.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Metcalf
Allen	Davis (Pickens)	Goodwin	Shelton
Boutwell	Dyar	Lamberth	Skidmore
Bradford	Eddins	Leonard	Smith
Calvin	Engelhardt	Little	Tate
Cantrell	Flowers		—21

Nays: —0

The Bill:

H. 786. Relating to Fayette County; authorizing the court of county commissioners, board of revenue, or like governing body of said county to levy additional county privilege license and excise taxes, for general educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	James	Roberts	Tate
Davis (Pickens)	Jones	Robison	Van Antwerp
Dyar	Metcalf	Shelton	Vann
Eddins	Moses	Skidmore	Yarbrough (Autauga)
Engelhardt	Newton	Smith	Yarbrough (Randolph)
Flowers	Reeves		—21

Nays:

—0

The Bill:

H. 787. To amend Section 7 of an act approved July 7, 1947, entitled "An Act To re-enact Act 123, approved June 12, 1935, entitled, 'An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act'" (Act No. 82, H. 340, Local Acts of 1947, p. 58).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Metcalf	Vann
Bradford	Givhan	Moses	Yarbrough (Autauga)
Davis (Pickens)	Goodwin	Shelton	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays:

—0

The Bill:

H. 788. To fix the compensation of surgeons and physicians when duly summoned by the coroner in all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census; providing for the method of payment and designating the funds from which payment shall be made.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Little	Tate
Allen	Flowers	Metcalf	Van Antwerp
Boutwell	James	Shelton	Vann
Davis (Pickens)	Jones	Skidmore	Yarbrough (Autauga)
Dyar	Lamberth	Smith	Yarbrough (Randolph)
Eddins	Leonard		—21

Nays:

—0

The Bill:

H. 792. To require the county board of education of Limestone County to donate to the members of the community in which the school is located the buildings and sites associated with any school discontinued by such board, or to donate the building materials contained in any dismantled school building if the county board of education desires to retain possession of the site thereof; and to authorize the use of such buildings as community centers, or the use of such materials for the construction of community centers.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Metcalf
Allen	Davis (Pickens)	Goodwin	Moses
Boutwell	Dyar	Grisham	Vann
Bradford	Eddins	Leonard	Yarbrough (Autauga)
Calvin	Engelhardt	Little	Yarbrough (Randolph)
Cantrell	Flowers		—21

Nays:

—0

The Bill:

H. 793. To designate as "The Buck Island Bridge" the new bridge approved for construction in Limestone County at or near the site of the present bridge of the same name, and to require the governing body of Limestone County to place certain plaques or markers thereon.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Newton	Skidmore
Allen	Davis (Pickens)	Reeves	Van Antwerp
Boutwell	Dyar	Roberts	Vann
Bradford	Givhan	Robison	Yarbrough (Autauga)
Calvin	Goodwin	Shelton	Yarbrough (Randolph)
Cantrell	Grisham		—21

Nays:

—0

The Bill:

H. 794. To authorize each member of the court of county commissioners, board of revenue or like governing body of Limestone County to

construct, within the district which he represents on such county governing body, a shed for the storage of tools and other equipment belonging to the county, and a dwelling house in which he or some competent person designated by him shall reside in order to take care of the county property stored in such shed; and to authorize the expenditure of county funds for such purposes.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Grisham	Reeves
Allen	Davis (Pickens)	Hall	Roberts
Boutwell	Dyar	James	Robison
Bradford	Flowers	Jones	Smith
Calvin	Givhan	Newton	Tate
Cantrell	Goodwin		

—21

Nays:

—0

The Bill:

H. 796. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Boston in Marion County, Alabama, so as to include within the corporate limits of said municipality the unincorporated community of Brilliant, and change the name of the municipality to "Brilliant, Alabama."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Shelton
Allen	Eddins	Leonard	Van Antwerp
Boutwell	Engelhardt	Little	Vann
Bradford	Flowers	Metcalf	Yarbrough (Autauga)
Calvin	Givhan	Moses	Yarbrough (Randolph)
Cantrell	Goodwin		

—21

Nays:

—0

The Bill:

H. 822. To amend Act No. 416, H. 917, approved September 9, 1955 (Acts of Alabama, 1955, p. 960), entitled "An Act To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Roberts	Tate
Allen	Givhan	Robison	Van Antwerp
Boutwell	Goodwin	Shelton	Vann
Bradford	Moses	Skidmore	Yarbrough (Autauga)
Calvin	Newton	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays: —0

The Bill:

H. 828. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Lamberth	Tate
Allen	Dyar	Leonard	Van Antwerp
Boutwell	Eddins	Little	Vann
Bradford	Engelhardt	Metcalf	Yarbrough (Autauga)
Calvin	Flowers	Moses	Yarbrough (Randolph)
Cantrell	Givhan		—21

Nays: —0

The Bill:

H. 829. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Metcalf	Tate
Allen	James	Moses	Van Antwerp
Boutwell	Jones	Shelton	Vann
Davis (Pickens)	Lamberth	Skidmore	Yarbrough (Autauga)
Dyar	Leonard	Smith	Yarbrough (Randolph)
Grisham	Little		—21

Nays: --0

The Bill:

H. 830. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Roberts	Tate
Allen	Engelhardt	Robison	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Lamberth	Skidmore	Yarbrough (Autauga)
Calvin	Leonard	Smith	Yarbrough (Randolph)
Cantrell	Reeves		—21

Nays: —0

The Bill:

H. 831. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Tate
Allen	Davis (Pickens)	Lamberth	Van Antwerp
Boutwell	Dyar	Leonard	Vann
Bradford	Eddins	Robison	Yarbrough (Autauga)
Calvin	Engelhardt	Shelton	Yarbrough (Randolph)
Cantrell	James		—21

Nays:

—0

The Bill:

H. 837. To authorize and regulate the micro-filming, photostating or other photographic reproduction of books, records, papers and documents required to be maintained and kept by municipal clerks, municipal recorders, municipal police departments, and other agencies or other instrumentalities of all municipalities in counties in this State having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand according to the last or any subsequent federal decennial census, the destruction or other disposition of the originals of such books, records, papers and documents, and the substitution of such reproductions for the originals thereof; prescribing the force and effect such reproductions shall have and providing for the certification of copies thereof.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Smith
Allen	Davis (Pickens)	Lamberth	Tate
Boutwell	Dyar	Leonard	Van Antwerp
Bradford	Eddins	Shelton	Vann
Calvin	Engelhardt	Skidmore	Yarbrough (Autauga)
Cantrell	James		—21

Nays:

—0

The Bill:

H. 387. To provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

Amend the bill, H. B. 387, as follows:

Strike out the words, "or any subsequent," wherever such words appear together in the caption and in Section 1 of the bill.

On motion of Mr. Jones, said amendment was laid on the table.

And said bill was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Jones	Shelton
Allen	Davis (Pickens)	Lamberth	Van Antwerp
Boutwell	Dyar	Reeves	Vann
Bradford	Eddins	Roberts	Yarbrough (Autauga)
Calvin	Engelhardt	Robison	Yarbrough (Randolph)
Cantrell	James		—21

Nays:

—0

The Bill:

H. 558. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

AMENDMENT TO H. 558

Amend the bill by striking therefrom Section 2 and inserting the following:

"Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Gulf Shores, voting in a referendum election to be held on a day designated by the probate judge of Baldwin County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Baldwin County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the adoption of Act No. _____, H. 558 of the 1957 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the Town of Gulf Shores in Baldwin County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word 'Yes.' If he desires to vote against the adoption of such Act the word 'No' shall be written or printed on his ballot. The Town of Gulf Shores shall pay all costs and expenses incident to the election.

"If a majority of the votes cast in the election are 'Yes' the provisions of this Act shall become operative immediately. If the majority are 'No' this Act shall have no further effect."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Newton	Skidmore
Allen	Davis (Pickens)	Reeves	Van Antwerp
Boutwell	Dyar	Roberts	Vann
Bradford	Eddins	Robison	Yarbrough (Autauga)
Calvin	James	Shelton	Yarbrough (Randolph)
Cantrell	Jones		—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Newton	Skidmore
Allen	Davis (Pickens)	Reeves	Van Antwerp
Boutwell	Dyar	Roberts	Vann
Bradford	Eddins	Robison	Yarbrough (Autauga)
Calvin	James	Shelton	Yarbrough (Randolph)
Cantrell	Jones		—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bill:

By Messrs. Nice, Adams (Jefferson), Vacca and Thomas:

H. 262. To amend further Section 42 of Title 22, Code of Alabama (1940), which relates to certified copies of certain records.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bill, the title of which is set out in the foregoing Message from the House, was read one time and referred to appropriate Standing Committee, as follows:

H. B. 262—To the Committee on Judiciary

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 71. Relative to the adjournment of the two Houses to meet again on Friday, August 9, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bill, your signature thereto is requested.

H. 37. Levying a county mineral documentary tax or transfer fee to be paid upon leases and instruments creating and transferring severed interests in non-producing oil, gas or other minerals, as herein defined; exempting from all ad valorem taxation all such interests hereinafter created or transferred or hereinafter registered; and repealing Act No. 534 of the Laws of Alabama of 1953.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILL

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing bill; the title of which is set out in the foregoing message from the House.

BILLS ON THIRD READING RESUMED

The Bill:

H. 212. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

as amended by the amendment offered by Mr. Roberts, which said amendment is set out at length in the Journal of the Senate for the Twenty-fifth Legislative Day, was taken up.

Mr. Robison offered the following amendment to the bill, as amended, to-wit:

Amend Section 2 of H. B. 212 by adding the following: "Section 2 b. —Provided that the official court reporters of the 15th Judicial Circuit shall receive a total salary of \$6,400, thirty-eight hundred dollars of which shall be payable in equal monthly installments by the county composing the circuit, and the remaining \$2,600 per annum shall be paid in equal monthly installments on the warrant of the State Comptroller from the General Fund of the State Treasury."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Van Antwerp
Calvin	Goodwin	Newton	Vann
Cantrell	Grisham	Reeves	Yarbrough (Autauga)
Cooper	Hall	Roberts	Yarbrough (Randolph)
Davis (Pickens)	James	Robison	—30

Nays:

—0

Mr. Van Antwerp offered the following amendment to the bill, as amended, to-wit:

Amend Section 2 of H. B. 212 by adding the following: "Section 2 c.— Provided that the official court reporters of the 13th Judicial Circuit shall receive a total salary of \$6,000, thirty-four hundred dollars of which shall be payable in equal monthly installments by the county composing the circuit, and the remaining \$2,600 per annum shall be paid in equal monthly installments on the warrant of the State Comptroller from the General Fund of the State Treasury."

Which was adopted.

Yeas 32; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Metcalf	Smith
Bradford	Givhan	Moses	Tate
Calvin	Goodwin	Newton	Van Antwerp
Cantrell	Grisham	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar			—32

Nays:

—0

Mr. Van Antwerp also offered the following amendment to the bill, as amended, to-wit:

Amend Section 3 of the bill, H. B. 212, by striking out the following words and figures: "Act No. 52, H. 18, approved April 8, 1955 (General Acts of Alabama, Second Extraordinary Session of 1955, page 161) and"

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Little	Tate
Bradford	Flowers	Metcalf	Van Antwerp
Calvin	Givhan	Moses	Vann
Cantrell	Goodwin	Newton	Yarbrough (Autauga)
Cooper	Grisham	Reeves	Yarbrough (Randolph)
Davis (Pickens)	James	Roberts	—30

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 33; Nays 0.

Yeas:

Messrs.:	Cooper	Givhan	Lamberth
Allen	Davis (Pickens)	Goodwin	Leonard
Boutwell	Dyar	Grisham	Little
Bradford	Eddins	Hall	Metcalf
Calvin	Engelhardt	James	Moses
Cantrell	Flowers	Jones	Newton

Reeves	Skidmore	Van Antwerp	Yarbrough (Autauga)
Roberts	Smith	Vann	Yarbrough (Randolph)
Robison	Tate		—33

Nays: —0

The Bill:

H. 548. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 14,000 nor more than 16,000, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Engelhardt	Roberts	Tate
Allen	Lamberth	Robison	Van Antwerp
Boutwell	Leonard	Shelton	Vann
Bradford	Little	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Newton	Smith	Yarbrough (Randolph)
Eddins	Reeves		—21

Nays: —0

The Bill:

S. 404. To authorize each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, to sell and issue from time to time not exceeding \$1,500,000 in principal amount of interest-bearing warrants for the purpose of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein; to provide that such warrants shall evidence general obligation indebtedness of the county by which they are issued; to require public sale of any such warrants; to require the pledge and use for payment of the principal of and the interest on such warrants of so much as may be necessary for such purpose of the proceeds of the special cigarette and smoking tobacco license taxes levied in each such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county; to specify the effect and priority of each such pledge; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for executors, administrators, trustees and other fiduciaries; to provide that the provisions of this act shall control the provisions of any inconsistent law; and to provide that the issuance of any warrants and the interest coupons applicable thereto pursuant to the provisions of this act shall constitute the audit and allowance of claims against the county by which they are issued and against the proceeds of such tax proceeds pledged for such warrants and coupons.

Was taken up.

Mr. Boutwell offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR SENATE BILL 404

A BILL TO BE ENTITLED AN ACT

To authorize each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, to sell

and issue from time to time not exceeding \$1,500,000 in principal amount of interest-bearing warrants for the purpose of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein; to provide that such warrants shall evidence general obligation indebtedness of the county by which they are issued; to require public sale of any such warrants; to require the pledge and use for payment of the principal of and the interest on such warrants of so much as may be necessary for such purpose of the proceeds of the special cigarette and smoking tobacco license taxes levied in each such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county; to specify the effect and priority of each such pledge; to require the use of certain surplus cigarette and smoking tobacco license tax proceeds for the redemption or purchase for retirement of such warrants; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for executors, administrators, trustees and other fiduciaries; to provide that the provisions of this act shall control the provisions of any inconsistent law; and to provide that the issuance of any warrants and the interest coupons applicable thereto pursuant to the provisions of this act shall constitute the audit and allowance of claims against the county by which they are issued and against the proceeds of such tax proceeds pledged for such warrants and coupons.

Be It Enacted by the Legislature of Alabama:

Section 1. Legislative Findings and Intent. The legislature hereby recognizes and finds that due to the Increasing urbanization of the state the volume of public business transacted in the county offices and courts of the more populous counties in the state is rapidly increasing; and that in order to meet the needs of the public and to provide for the more efficient conduct of the public business in the more populous counties in the state the courthouses and other county public buildings therein need to be improved and modernized and additions thereto need to be provided. The legislature hereby declares that in order to provide for the more efficient conduct of the public business in the more populous counties in the state, it is desirable and in the public interest that such counties be authorized to sell and issue general obligation interest-bearing warrants for the purpose of financing the acquisition, provision and construction of improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein. This act shall be liberally construed to give effect to its purpose.

Section 2. Authorization of Issuance of Warrants. Each county in the state having a population of 400,000 or more, according to the last or any succeeding federal census, shall, to the extent of its constitutional debt limit, have the power from time to time to sell and issue not exceeding \$1,500,000 in principal amount of interest-bearing warrants of such county for the purpose of paying the costs of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings in such county. Such warrants may be in such denomination or denominations, may have such maturity or maturities not exceeding ten years from their date, may bear interest from their date at such rate or rates not exceeding four and one-half per centum per annum, payable semi-annually, may be payable at such place or places within or without this state, may be sold at such time or times, may be executed in such manner and may contain such terms not in conflict with the provisions of this act, all as the governing body of such county may provide in the proceedings wherein such warrants are authorized to be issued. Any warrant issued hereunder having a stated maturity date more than five years after its date shall be made subject to redemption at the option

of the county by which it is issued at the end of the third year after its date and on any interest payment date thereafter, after such notice or notices and on such terms and conditions as may be set forth in the proceedings whereunder such warrant is authorized to be issued; provided, that the redemption price specified in such proceedings shall not exceed the face value of each warrant redeemed plus accrued interest thereon to the date fixed for redemption and plus a premium equal to (a) one percentum of the face value of such warrant for each six month period or fraction thereof between the date fixed for redemption of such warrant and the stated maturity date thereof, or (b) twelve months' interest on such warrant computed at the rate which such warrant would bear on the date fixed for its redemption if the option to redeem had not been exercised, whichever of the foregoing is the smaller. All warrants issued under the provisions of this act shall evidence general obligation indebtedness of the county by which they are issued, and the full faith and credit of such county shall be irrevocably pledged for payment of the principal thereof and the interest thereon. All such warrants shall be sold at public sale in the manner required by the provisions of Section 259 of Title 37 of the Code of Alabama of 1940, as amended, for the sale of county bonds; provided, that none of such warrants may be sold for less than their face value plus accrued interest thereon to the date of their delivery. The proceeds derived from the sale of any such warrants shall be used solely for the purpose for which they are authorized to be issued, including the payment of any expense incurred in connection with the issuance thereof; provided however, that none of such proceeds may be used for payment of any fiscal or other fee or commission for effecting a sale of any such warrants or for advice (other than legal advice) respecting the manner and terms of the sale of any such warrants.

Section 3. Pledge of Special Tax. The governing body of the county issuing any such warrants shall pledge and use, or cause to be used, for payment of the principal of and the interest on such warrants so much as may be necessary for such purpose of the proceeds of the cigarette and smoking tobacco license taxes levied in such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county (exclusive of those portions of such tax proceeds required by said act to be paid to the probate judge and license inspector of such county for collection and distribution of such tax and for the enforcement of such act, respectively, and in turn required by such act to be paid by them into the general treasury of such county). If more than one pledge shall be made of said tax proceeds then such pledges shall take precedence in the order in which they are made unless the proceedings making such pledge shall expressly provide that such pledge shall be on a parity with or subordinate to a subsequent pledge of the said tax. All warrants for which the pledge authorized in this section shall be made shall constitute preferred claims against that portion of the said tax proceeds so pledged and shall have preference over claims against said tax proceeds incurred by the county by which such warrants are issued for any other purpose whatsoever. The governing body of any county issuing any warrants pursuant to the provisions of this Act shall, so long as any such warrants remain outstanding and unpaid, use and apply that portion of said tax proceeds not needed for payment of the principal of and the interest on such warrants for the following purposes and for the following purposes only: (a) for the redemption, prior to their respective maturities, of warrants issued by such county under the provisions of this act that by their terms are subject to redemption prior to their respective maturities at the option of such county; and (b) for the purchase for retirement of warrants issued by such county under the provisions of this act at and for a purchase price, with respect to each such warrant so purchased, not

exceeding the sum of the following: (i) the face value of such warrant, (ii) accrued interest thereon to the date of such purchase, and (iii) a premium equal to (A) one percentum of the face value of such warrant for each six month period or fraction thereof between the date of such purchase and the stated maturity date of such warrant, or (B) twelve months' interest on such warrant computed at the rate it bears on the date of such purchase, whichever of the foregoing is the smaller.

Section 4. Authorization of Refunding Warrants. Each county that issues any warrants pursuant to the provisions of this act may in like manner from time to time issue refunding warrants, either by sale or by exchange, for the purpose of refunding any matured or unmatured warrants then outstanding which were issued under the provisions of this act; provided, that the aggregate principal amount of any issue of such refunding warrants may not exceed the principal amount of the warrants to be refunded thereby, any premium that it may be necessary to pay in order to redeem or retire said warrants to be refunded and the expenses of issuing such issue of refunding warrants. Except as otherwise specifically provided in this act, the provisions of this act applicable to the warrants so refunded shall likewise be applicable to such refunding warrants.

Section 5. Warrants to be Legal Investments for Trust Funds. Warrants issued pursuant to the provisions of this act shall be legal investments for executors, administrators, trustees and other fiduciaries.

Section 6. Provisions of Inconsistent Laws Inapplicable. So far as the provisions of this act may be inconsistent with the provisions of any other law, the provisions of this act shall control, it being specifically declared that the provisions of Section 78 of Title 12 of the Code of Alabama of 1940 shall not be applicable to warrants issued under the provisions of this act.

Section 7. Issuance of Warrants Deemed to Constitute Audit and Allowance of Claim. The issuance of warrants and any interest coupons applicable thereto pursuant to the provisions of this act, in accordance with the authorization of the governing body of the county issuing such warrants, shall be deemed to constitute an audit and allowance by such governing body of a claim against such county and against any portion of said tax proceeds pledged for such warrants, in the aggregate principal amount of such warrants and the interest coupons applicable thereto. No proof or registration or other audit or allowance of such claim shall be required and such warrants and interest coupons shall be held to be allowed claims against the county by which they were issued and against any portion of the said tax proceeds pledged therefor from and after the date of the lawful issue of such warrants and coupons.

Section 8. Severability. If any clause, provision or section of this act shall be held invalid and unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other clause, provision or section hereof.

Section 9. Effective Date. This act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming law.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:
Allen
Boutwell

Bradford
Calvin
Cantrell

Cooper
Eddins
Engelhardt

Flowers
Givhan
Lamberth

Leonard	Moses	Smith	Yarbrough (Autauga)
Little	Shelton	Vann	Yarbrough (Randolph)
Metcalfe	Skidmore		—21
Nays:			—0

And said bill, as thus amended by the substitute, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Leonard	Skidmore
Allen	Eddins	Little	Smith
Boutwell	Engelhardt	Metcalfe	Vann
Bradford	Flowers	Moses	Yarbrough (Autauga)
Calvin	Givhan	Shelton	Yarbrough (Randolph)
Cantrell	Lamberth		—21
Nays:			--0

MOTION TO ADJOURN LOST

At 6:30 P. M., Mr. Davis (Pickens) moved that the Senate adjourn until Friday, August 9, 1957, at 10 o'clock A. M., which motion was lost.

Yeas 13; Nays 21.

Yeas:

Messrs.:	Eddins	Jones	Shelton
Bradford	Engelhardt	Little	Tate
Cooper	Givhan	Newton	Yarbrough (Autauga)
Davis (Pickens)	James		—13

Nays:

Messrs.:	Flowers	Metcalfe	Skidmore
Allen	Goodwin	Moses	Smith
Boutwell	Grisham	Reeves	Van Antwerp
Calvin	Hall	Roberts	Vann
Cantrell	Lamberth	Robison	Yarbrough (Randolph)
Dyar	Leonard		—21

BILLS ON THIRD READING RESUMED

The Bill:

H. 71. To provide further the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office, and prescribing penalties.

Was taken up.

Mr. Metcalfe offered the following amendment to the bill, to-wit:

Amend the bill, H. B. 71, as follows:

Strike out Section 4 entirely and substitute therefor the following:

"Section 4. Any agreement or collusion among bidders or prospective bidders in restraint of competition, by agreement to bid at a fixed price or to refrain from bidding, or otherwise, shall render the bids of

such bidders void. Every person, or any officer or agent of a corporation, who makes or attempts to make or enter into such agreement, contract, or arrangements in restraint of competition shall be guilty of a misdemeanor, and any person who violates this section shall, upon conviction be punished by a fine not exceeding \$5,000.00 or imprisonment for not more than twelve (12) months, or both; and if a corporation, by a fine not exceeding \$20,000.00. Each bidder shall accompany his bid with a sworn statement that he has not been a party to such an agreement."

On motion of Mr. Calvin, said amendment was laid on the table.

Yeas 26; Nays 8.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Givhan	Little	Smith
Boutwell	Goodwin	Moses	Tate
Bradford	Grisham	Newton	Vann
Calvin	Hall	Reeves	Yarbrough (Autauga)
Cantrell	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones	Robison	—26

Nays:

Messrs.:	Engelhardt	Leonard	Skidmore
Cooper	Flowers	Metcalf	Van Antwerp
Eddins			—8

Mr. Flowers then offered the following amendment to the bill, to-wit:

AMENDMENT TO HOUSE BILL NO. 71

Amend House Bill No. 71, Section 9 by deleting the same therefrom and inserting in lieu thereof the following:

"Section 9. When purchases are required to be made through competitive bidding, award shall be made to the lowest responsible bidder, taking into consideration the qualities of the commodities proposed to be supplied, their conformity with specifications, the purposes for which required, the terms of delivery, transportation charges, and the dates of delivery. The Purchasing Agent shall, without sacrifice to quality or delivery dates, extend to vendors domiciled in Alabama and to goods and wares manufactured within the State a preference, and in computing the lowest responsible bid for such purpose, he shall determine that the net additional cost shall in no event result in a price in excess of three percent (3%) greater than the otherwise lowest acceptable bid. It is provided, however, that the awarding authority may at any time within five days after the bids are opened, negotiate and award the contract to any one provided he secures a price at least 5% under the low acceptable bid. The award of such a negotiated contract shall be subject to approval by the Finance Director and the Governor. The awarding authority or requisitioning agency shall have the right to reject any bid if the price is deemed excessive or quality of product inferior. Each bid, with the name of the bidder, shall be entered on a record. Each record, with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder shall, after award of the order or contract, be opened to public inspection. Contracts for the purchase of personal property or contractual services shall be let for periods not greater than one year."

On motion of Mr. Calvin, said amendment was laid on the table.

Yeas 23; Nays 11.

Yeas:

Messrs.:	Eddins	James	Robison
Boutwell	Engelhardt	Jones	Smith
Bradford	Givhan	Little	Tate
Calvin	Goodwin	Moses	Van Antwerp
Davis (Pickens)	Grisham	Reeves	Vann
Dyar	Hall	Roberts	Yarbrough (Autauga)

—23

Nays:

Messrs.:	Cooper	Leonard	Shelton
Allen	Flowers	Metcalf	Skidmore
Cantrell	Lamberth	Newton	Yarbrough (Randolph)

—11

And said bill was then read a third time at length and passed.

Yeas 34; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Shelton
Allen	Engelhardt	Leonard	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Cooper	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones	Robison	

—34

Nays:

—0

REPORT OF SECRETARY

Mr. President:

In accordance with the provisions of Joint Rule 5 of the Senate and House of Representatives, I respectfully report the following Senate Bills and Senate Joint Resolutions delivered to the Governor and the Secretary of State, with date and hour of delivery, to-wit

S. J. R. 43 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 44 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 39 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 45 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 46 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 47 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 48 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 49 Delivered to the Governor July 9, 1957 at 12:25 P. M.
 S. J. R. 50 Delivered to the Governor July 12, 1957 at 11:45 A. M.
 S. J. R. 52 Delivered to the Governor July 12, 1957 at 11:45 A. M.
 S. J. R. 56 Delivered to the Governor July 16, 1957 at 3:10 P. M.
 S. 171 Delivered to the Governor July 26, 1957 at 10:35 A. M.

S. 42 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 301 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. J. R. 58 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 54 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 312 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 315 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. J. R. 44 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 150 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 321 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 305 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 78 Delivered to the Governor July 26, 1957 at 10:35 A. M.
S. 118 Delivered to the Secretary of State July 30, 1957 at 12:20 P. M.
S. J. R. 63 Delivered to the Governor August 2, 1957 at 12 o'clock
Noon
S. J. R. 64 Delivered to the Governor August 2, 1957 at 12 o'clock
Noon
S. J. R. 65 Delivered to the Governor August 6, 1957 at 12:20 P. M.
S. J. R. 66 Delivered to the Governor August 6, 1957 at 12:20 P. M.
S. 73 Delivered to the Governor August 6, 1957 at 12:20 P. M.
S. J. R. 68 Delivered to the Governor August 6, 1957 at 4:30 P. M.
S. 37 Delivered to the Governor August 6, 1957 at 4:30 P. M.
S. 36 Delivered to the Secretary of State August 6, 1957 at 4:32 P. M.

J. E. SPEIGHT,
Secretary.

SECRETARY'S REPORT

The foregoing report of the Secretary was read and ordered spread upon the Journal.

REPORT OF COMMITTEE ON REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session, has carefully examined the Journal of the Senate for the Twenty-sixth Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-sixth Legislative Day was approved by the Senate.

ADJOURNMENT

At 7:05 P. M., on motion of Mr. Bradford, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Friday, August 9, 1957 at 10 o'clock A. M.

Yeas 21; Nays 12.

Yeas:

Messrs.:	Flowers	Jones	Skidmore
Allen	Givhan	Lamberth	Tate
Bradford	Goodwin	Leonard	Vann
Cantrell	Grisham	Moses	Yarbrough (Autauga)
Eddins	Hall	Newton	Yarbrough (Randolph)
Engelhardt	James		—21

Nays:

Messrs.:	Davis (Pickens)	Reeves	Shelton
Boutwell	Dyar	Roberts	Smith
Calvin	Metcalf	Robison	Van Antwerp
Cooper			—12

TWENTY-SEVENTH LEGISLATIVE DAY

FRIDAY, AUGUST 9, 1957

The Senate met pursuant to adjournment, Lieutenant Governor Hardwick presiding.

PRAYER

The Session was opened with prayer by the Reverend John R. Riddle, Pastor, Ridgecrest Baptist Church, Montgomery, Alabama.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
			—35

JOURNAL

On motion of Mr. Lamberth, the reading of the Journal of yesterday was dispensed with and same approved by the Senate.

BILL ON THIRD READING

The Bill:

H. 164. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and

never has been eligible for membership in the Teachers' Retirement System, and to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama, who had attained age 70 as of July 1, 1951 and who was not eligible to become a member of the Teachers' Retirement System as of July 1, 1951, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; to repeal Act No. 63 approved June 3, 1953 relating to provisions for old age assistance to teachers; and to provide the appropriation necessary to carry out the provisions of this Act.

Was taken up by unanimous consent and was read a third time at length and passed

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Shelton
Allen	Eddins	Lamberth	Smith
Boutwell	Engelhardt	Leonard	Tate
Calvin	Flowers	Metcalf	Van Antwerp
Cantrell	Goodwin	Moses	Vann
Cooper	Grisham	Newton	Yarbrough (Autauga)
Davis (Lowndes)	Hall	Roberts	Yarbrough (Randolph)
Davis (Pickens)	James	Robison	—30

Nays:

—0

INTRODUCTION OF BILLS

Upon a call of districts bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Lamberth:

S. 487. To provide for certain improvements for the capitol building, and making an appropriation for that purpose.

Committee on Finance and Taxation.

By Mr. Hall:

S. 488. To amend Act No. 547 of the 1955 Regular Session of the Legislature of Alabama approved September 9, 1955, so as to provide an exemption for motor vehicles engaged in the transportation of sand, gravel and earth or road building materials for the Federal government, the State or municipalities.

Committee on Judiciary.

By Mr. Van Antwerp:

S. 489. To provide for payment of that part of the operating expenses of the Gulf States Marine Fisheries Commission which shall be borne by the State of Alabama. To provide from which fund the expenses incident to membership by the State of Alabama in said Commission shall be paid. To provide how such expenses shall be paid. To provide what such expenses shall include. To provide when this Act shall become effective

Committee on Finance and Taxation.

By Messrs. Allen and Flowers:

S. 490. To prescribe the salary receivable by the Adjutant General.

Committee on Finance and Taxation.

By Mr. Flowers:

S. 491. To apply in all counties having a population of not less than 46,000 nor more than 49,000, according to the last or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue, or like governing body of such counties to appropriate the public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Committee on Local Legislation.

REPORTS OF COMMITTEES

Mr. Robison, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Thomas et al (with amendment):

H. 871. To regulate the qualifications, applications, examinations and licensing of all persons who shall be hereafter licensed to act as agent for or to solicit business for any life or health and accident insurance carriers in Alabama who shall engage in the business of selling, soliciting, issuing, delivering, effecting or collecting premiums on policies or contracts of life insurance or contracts of health and accident insurance or both; to define terms; to provide penalties for violations of the provisions hereof; to prohibit the representing of unauthorized insurers; to provide for liability of insurance agents when representing unauthorized insurers; to prohibit the doing of business by unlicensed agents; to prohibit the doing of business with unauthorized agents; to provide for the revocation of licenses; to provide that certain information, documents, records or statements disclosed or made to the Superintendent of Insurance shall be deemed a privileged communication and shall not be used as evidence in any court action or proceeding; to provide for the refusal, suspension, or revocation of license and to provide for a hearing thereof; to provide an appeal from certain actions of the Superintendent; to provide for the making of certain rules and regulations by the Superintendent; to provide for the making of certain investigations by the Superintendent; to provide penalties for the violation of this Act; to provide for the severability of this Act; to repeal conflicting laws, and to provide an effective date for this Act.

Mr. Robison, Chairman of the Standing Committee on Insurance, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Flowers:

S. 154. To change the Title Superintendent of Insurance to Commissioner of Insurance.

By Mr. Stokes:

H. 549. To repeal the act approved September 9, 1953 entitled "An Act To authorize life insurance companies of this State to invest in loans to corporations whose securities have been approved by the State Securities Commission of Alabama" (Act No. 539, H. 368, Acts of 1953, Vol. II, p. 755).

By Messrs. Lamberth, Flowers, Allen, Roberts and Metcalf:

S. 417. To amend Section 4 of Act No. 234, S. 25, approved July 16, 1951, (Acts of Alabama, 1951, p. 504), entitled "An Act relating to state government administration; Creating a Department of Insurance; defining its powers and duties; transferring to it the function of regulating in-

surance, the insurance business, insurance companies, and insurance agents; transferring to it the Bureau of Insurance and the Bureau of Rates of the Department of Commerce, and the Office of Fire Marshal, and the personnel, funds, equipment and supplies of such Bureaus and Office; creating the office of Superintendent of Insurance; fixing his salary, qualifications and duties; abolishing the office of Superintendent of Insurance as presently constituted; and repealing all laws in conflict therewith."

By Messrs. Hardy et al:

H. 629. To protect the interest of the public with respect to Insurance Agents, Solicitors and Brokers: To regulate the conduct of the business of Insurance Agents, Solicitors and Brokers: To provide for the powers and duties of the Superintendent of Insurance with respect thereto; To provide for the examining and licensing of Insurance Agents, Solicitors and Brokers: To provide for the administration of this Act: To provide for the denial, revocation or suspension of Licenses under this Act: to provide for penalties for the violation of any provision of this Act: to provide for judicial review of the Acts of the Superintendent of Insurance with respect to the administration of the provisions of this Act: To repeal all laws or parts of laws in conflict therewith:

Mr. Eddins, Chairman of the Standing Committee on Public Welfare and Correctional Institutions, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report with substitute, and it was read a second time and placed on the calendar, to-wit :

By Mr. Eddins (with substitute):

S. 48. To amend further Act No. 703, H. 544, approved September 5, 1951 (Acts of Alabama, 1951, p. 1211), which created state and county departments of public welfare, by prohibiting the payment of aid to dependent children to any unwed mother on behalf of more than one illegitimate child.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Moses (with notice and proof):

S. 471. To create an inferior Court, to be known as the DeKalb County Inferior Court of DeKalb County, Alabama, with the power of justice of the Peace; To prescribe the jurisdiction, authority, powers and duties of said Court and Officers thereof; To provide rules and procedures of said Court; To provide that the DeKalb County Commission shall provide quarters and supplies for said Court; and to provide for the execution of process and operation of said Court:

By Mr. Moses (with notice and proof):

S. 472. To establish a DeKalb County Superior Court for DeKalb County; to define its jurisdiction and powers; To provide for its officers, their powers, duties and compensation; To provide that the said court shall be open at all times for the trial of cases and transaction of business; Prescribing rules and procedure of said Court; and to provide for the transfer of cases now pending in the DeKalb County Court to the DeKalb County Superior Court; To provide for the repeal of the DeKalb County Court, DeKalb County, Alabama, as created by Act No. 179 Local Acts, 1927 Legislature, pages 93 to 101 inclusive, as amended; To create a fine and forfeiture fund and to provide for payment of claims, to transfer funds from DeKalb County Fine and Forfeiture Fund to DeKalb County Superior Court Fine and Forfeiture Fund; To provide for a Solicitor for

the DeKalb County Superior Court, his term of office and election, compensation and duties; To provide for payment of expenses of said Court out of the General Fund of DeKalb County, Alabama.

By Mr. Van Antwerp:

S. 478. To amend further Act No. 370, S. 439, approved August 21, 1953 (Acts of Alabama, 1953, Vol. I, p. 439), which relates to the powers of the governing bodies of municipalities in any county having a population of more than 225,000 and less than 500,000 inhabitants, according to the last or any future federal census, with respect to the appointment, suspension and discharge of the chief of police of such municipalities.

By Mr. Skidmore:

S. 480. To fix the supplemental salaries of Circuit Judges in Judicial Circuits in Alabama composed of one county where the population of such county exceeds 94,000 people and is less than 134,000 people according to the last preceding or any succeeding decennial United States census to be paid out of the county treasury of such counties.

By Mr. Roberts:

S. 482. Relating to municipalities having a population of not less than 50,000 nor more than 100,000, according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such municipalities; and providing for the creation of an automobile parking agency in and for each of such municipalities.

By Mr. Boutwell:

S. 483. To amend Section 361 of Title 17 of the Code of Alabama, 1940, as amended by Act No. 42 of the Second Special Session of the Legislature of Alabama of 1956 (Act No. 42 Special Session of 1956, page 336) approved March 23, 1956, which relates to "single shot ballots."

By Mr. Boutwell:

S. 484. To amend further Section 173 of Title 13, Code of Alabama (1940), which relates to civil cases, when tried; chief justice appoints additional judges.

By Messrs. Holliman and Kirkham:

H. 228. To regulate further the office of solicitor of the Seventeenth Judicial Circuit of Alabama; creating a solicitor's fund for each county composing the circuit, and providing for the expenditure and use thereof.

By Messrs. Lackey et al:

H. 657. To authorize and make provision for the incorporation in any City of the State of Alabama having a population of 300,000 or more according to the last or any subsequent federal census of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by such authority and leasing or letting such buildings, structures or facilities; to provide for the election of the directors and officers of such authority; to specify its powers; to endow such authority with the power of eminent domain; to provide that any City for which an authority has been organized under this act may aid and cooperate in the planning, undertaking construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey, or transfer money, real property, personal property,

mixed property or any right capable of transfer to such authority; to provide that no action or suit shall be brought or maintained against such authority or a director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by such authority of interest bearing revenue bonds payable solely out of the revenues of the authority; to specify provisions of said bonds and to declare them to be negotiable instruments; to provide that said bonds may be secured by pledge of any of the revenues of such authority to which its right then exists or may thereafter come into existence; to provide that such pledge may be provided for in an indenture between said authority and a corporate trustee or by resolution providing for the issuance of the bonds; to provide that said authority may include in any indenture or resolution authorizing the issuance of bonds provisions customarily contained in instruments securing evidence of indebtedness; to specify the use to which the proceeds of said bonds may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by said authority and the income therefrom, the property of said authority, and the business and activities conducted or engaged in by said authority; to authorize the investment of municipal funds in bonds of the authority; to provide that said bonds shall be legal investments for fiduciaries and savings banks and insurance companies; to authorize the publication of notice of the adoption of the resolution authorizing said bonds and specifying the period of time after such publication within which actions and defenses may be asserted respecting said bonds, pledge, and indenture and the proceedings authorizing the same; to provide that the provisions of this act shall be cumulative; to provide for audits of the books and accounts of the authority and to provide that the provisions of this act shall be severable; to protect certain civil service and pension rights of employees of municipal airports taken over by such authority; to provide for competitive bidding on construction contracts in excess of ten thousand dollars; to provide for a date upon which this act shall become effective.

By Mr. Fite:

H. 701. Proposing an amendment to the Constitution relating to Marion County.

The above Bill was read a second time at length as required by the Constitution.

By Mr. Brannan (with notice and proof):

H. 841. To extend, alter and re-arrange the boundary lines and corporate limits of the City of Foley, Baldwin County, Alabama.

By Messrs. McClendon (Chambers) and Hunt (with notice and proof):

H. 892. Relating to Chambers County; imposing a special county license on any person engaged as a fortune teller, palmist, clairvoyant, astrologer, phrenologist or crystal gazer.

By Messrs. Hanby and Hawkins (with notice and proof):

H. 897. To alter or re-arrange the boundary lines of the City of Attalla, Etowah County, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

By Mr. Richardson (with notice and proof):

H. 900. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

By Mr. Stembbridge (with notice and proof):

H. 901. To alter, re-arrange and extend the boundaries of the municipality of Avon in Houston County.

By Messrs. Lackey et al:

H. 902. Relating to Counties having a population of 500,000 or more inhabitants according to the last or any subsequent Federal census; to prohibit the depositing of trash, refuse, garbage, glass, or other sharp cutting substances or rubbish of any kind whatsoever in or upon any public park, roadway or right of way of any public street, avenue or highway, or upon or along any private road without owner's consent, and to require the prompt removal of all dead animals from any public park, highway or right of way by the owner or owners thereof and to provide that the violation of this act shall constitute a misdemeanor and to provide for the enforcement of this Act and the penalties for violation thereof.

By Messrs. Lackey et al:

H. 903. To authorize each county in this state having a population of 400,000 or more, according to the last or any succeeding federal census, to sell and issue from time to time not exceeding \$1,500,000 in principal amount of interest-bearing warrants for the purpose of acquiring, providing and constructing improvements, additions and modernizations to any one or more of the courthouses and other county public buildings therein; to provide that such warrants shall evidence general obligation indebtedness of the county by which they are issued; to require public sale of any such warrants; to require the pledge and use for payment of the principal of and the interest on such warrants of so much as may be necessary for such purpose of the proceeds of the special cigarette and smoking tobacco license taxes levied in each such county by Act No. 414, adopted at the 1947 Regular Session of the Legislature of Alabama, as amended, that are required by said act to be paid into the general treasury of such county; to specify the effect and priority of each such pledge; to require the use of certain surplus cigarette and smoking tobacco license tax proceeds for the redemption or purchase for retirement of such warrants; to authorize the refunding of any such warrants; to provide that such warrants shall be legal investments for executors, administrators, trustees and other fiduciaries; to provide that the provisions of this act shall control the provisions of any inconsistent law; and to provide that the issuance of any warrants and the interest coupons applicable thereto pursuant to the provisions of this act shall constitute the audit and allowance of claims against the county by which they are issued and against the proceeds of such tax proceeds pledged for such warrants and coupons.

By Messrs. Lackey et al:

H. 904. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of two hundred fifty thousand or more inhabitants according to the last or any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide that this act shall become effective on the first Monday of November, 1957.

By Messrs. Lackey et al:

H. 905. To fix the compensation or salary of the Sheriff of all counties having a population of Four Hundred Thousand (400,000) or more according to the last or subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Lackey et al:

H. 906. To provide for the compensation to be paid the First Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama, appointed by the Solicitor, the Second Deputy Circuit Solicitor, appointed by the Solicitor, the Third Deputy Circuit Solicitor of the Tenth Judicial

Circuit of Alabama, appointed by the Solicitor, the Fifth Deputy Circuit Solicitor, appointed by the Solicitor, the Sixth Deputy Circuit Solicitor, appointed by the Solicitor, the Deputy Circuit Solicitor appointed by the Solicitor to serve in the Jefferson County Court of Misdemeanors and the Deputy Circuit Solicitor appointed by the Solicitor to serve in the Juvenile and Domestic Relations Court, in counties having a population of four hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the effective date when said Act shall go into effect.

By Messrs. Perry et al (with notice and proof):

H. 907. To establish an Inferior Court for Jefferson County, Alabama, to define the jurisdiction and powers of said court, the judge, clerk and other officers thereof; to provide for a place of holding said court, the terms and salary of said judge and officers of said court, the manner of their appointment and election, and the payment of their salaries, and to provide that the Act shall go into effect on the First day of January 1959.

By Messrs. Kaul et al:

H. 908. To amend Section 3 of Act No. 564, entitled An Act to regulate the trials of Civil Cases in Jefferson County, approved September 9, 1949 (Acts of Alabama 1949, page 891).

By Messrs. Lackey et al (with notice and proof):

H. 909. To change the name of the Municipal Court of Birmingham to the Court of Common Claims of Jefferson County, Alabama; and to fix the salary of the Judge of the said Court.

By Messrs. Lackey et al:

H. 911. To fix the compensation or salary of the Circuit Clerk of all counties having a population of Five Hundred Thousand (500,000) or more according to the last or any subsequent Federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Lackey et al:

H. 912. To provide for the compensation to be paid certain officers by counties having a population of 400,000 or more according to the last or any succeeding decennial federal census.

By Messrs. Perry et al:

H. 913. To fix the salary of the Judge of the Juvenile and Domestic Relations Court of any County in this State having a population of 400,000 or more according to the last or any subsequent decennial Federal census.

By Messrs. Lackey et al:

H. 914. To fix the salary of the Register of the Circuit Court of the Tenth Judicial Circuit of Alabama (Jefferson County) and to regulate the payment of the same.

By Messrs. Lackey et al:

H. 915. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of four hundred thousand (400,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Roberts and Reynolds (with notice and proof):

H. 918. To amend Section XII of the act approved July 6, 1945, the act which authorized the governing body of Madison County to impose

an excise tax on gasoline (Act No. 370, H. 642, 1945 Local Acts 175); providing further for the use of the proceeds of such tax.

By Messrs. Roberts and Reynolds (with notice and proof):

H. 919. To abolish the fine and forfeiture fund in the county treasury of Madison County; to provide for the payment of all fines and forfeitures collected into the general fund of said county; to provide for the payment of certain claims from the general fund of said county in lieu of the fine and forfeiture fund.

By Mr. Cox (with notice and proof):

H. 922. To alter or re-arrange the boundary lines of the City of Albertville, Marshall County, Alabama, so as to include within the corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

By Messrs. Simon and Murphy:

H. 923. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County to become indebted and issue bonds in evidence of such indebtedness to the amount of three million dollars (\$3,000,000) principal amount for public school building purposes in such county; to pledge certain of the proceeds of any tax heretofore or hereafter levied under Amendment XVIII to the payment of bonds issued hereunder; and to continue to levy a tax in the amount authorized in said Amendment XVIII until all bonds issued hereunder have been paid in full or provision therefor made.

The above Bill was read a second time at length as required by the Constitution.

By Messrs. Simon, Murphy and Tyson (with notice and proof):

H. 924. To provide Judicial Officers of Mobile County; to designate them as Supernumerary Judges of the Court of General Sessions of Mobile County; to provide the conditions under which a Judge of the Court of General Sessions may become a Supernumerary Judge of the Court of General Sessions of Mobile County; to prescribe the qualifications, tenure in office, duties, powers, authority, and to fix the compensation of such supernumerary judges of the Court of General Sessions of Mobile County, and to provide for the method of removal from office of such supernumerary judges of the Court of General Sessions of Mobile County.

By Mr. Tyson:

H. 926. Relating to cities having a population of not less than 125,000 nor more than 250,000, according to the last or any subsequent federal decennial census; fixing the compensation of the members of the city commission, council, or like governing body of any such city.

By Messrs. Edwards (Jefferson) et al:

H. 930. To provide for the compensation to be paid the Assistant Deputy Circuit Solicitor of the Tenth Judicial Circuit of Alabama by counties having a population of 500,000 or more according to the last or any succeeding decennial federal census.

By Messrs. Edwards (Jefferson) et al:

H. 931. To fix the compensation or salary of the Deputy Circuit Clerk created under Title 13, Section 199, of the Code of Alabama 1940, for the division of the tenth judicial circuit described therein. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

By Messrs. Edwards (Jefferson) et al (with notice and proof):

H. 932. To authorize the Sheriff of Jefferson County, Alabama to appoint an assistant to the Sheriff for the Bessemer Division of said

County: to fix his compensation: the method of payment; term or tenure of office; the manner of his appointment; to abolish the office of Chief Deputy Sheriff in the Bessemer Division of Jefferson County, Alabama; to provide his duties and to otherwise provide for said office.

By Messrs. Edwards (Jefferson) et al:

H. 933. To provide for and fix the salaries of members of the commission or board of commissioners (including the president of such commission or board) of each city in the State of Alabama having a population of not less than 28,000 nor more than 29,000 inhabitants according to the last Federal Census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; To provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such commission for his services as such supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; To provide that this Act shall become effective on the first Monday in October, 1958.

By Messrs. Dawkins, Hall, Nolen and Goodwyn:

H. 939. To authorize the court of county commissioners, board of revenue or like governing body of each county having a population of not less than 125,000 nor more than 225,000, according to the last or any subsequent federal decennial census, to pay pensions to certain former employees of the county.

By Mr. Harrison (with notice and proof):

H. 940. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Wilsonville in said county.

By Messrs. deGraffenried and Callahan (with notice and proof):

H. 941. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

By Messrs. deGraffenried and Callahan (with notice and proof):

H. 942. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

By Messrs. Selman and Shumate (with notice and proof):

H. 943. To abolish the office of county treasurer of Walker County and to establish in lieu thereof the office of county comptroller of Walker County; to provide for the election of the county comptroller, and to prescribe his powers, duties, term, and compensation.

By Messrs. Shumate and Selman:

H. 944. To provide further for paid leaves of absence for certain employees of counties having a population of not less than 63,750 nor more than 72,750 inhabitants, according to the last or any subsequent federal decennial census.

Mr. Smith, Chairman of the Standing Committee on Local Legislation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Dawkins, Hall, Goodwyn and Nolen (with notice and proof) (with substitute):

H. 935. To require the Board of Revenue of Montgomery County, Alabama, to elect a County Road Engineer, which person must have had at least three years of practical experience in road building and must be a graduate in Civil Engineering of a recognized Institute of Technology or other institute or engineering school of collegiate rank, and to prescribe his duties and authority.

Mr. Hall, Chairman of the Standing Committee on Privileges and Elections, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Mr. Eddins:

S. 186. To amend Section 15 of Title 17, Code of Alabama (1940), which disqualifies certain persons from registering or voting, by disqualifying illegitimate persons, the mothers and fathers of illegitimate persons, and persons practicing concubinage.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Mr. Flowers:

S. 475. To amend Act No. 46 adopted at the 1949 Regular Session of the Legislature so as to authorize the amendment of the certificate of incorporation of any public hospital corporation, at any time organized under said act, for the purpose of changing the number of the members of its board of directors or making any other change in any such certificate of incorporation that is not inconsistent with the provisions of said act; so as to provide the method of effecting any such amendment; so as to specify, in the event any such amendment shall reduce the number of the members of any such board of directors, the method for determining which members of any such board of directors shall continue to serve and which shall cease to serve, following such amendment; and so as to provide that the terms of office of any such board of directors shall thereafter be staggered so that the term of office of one-third of such directors shall expire at the end of each period of two years.

By Mr. Flowers:

S. 474. To validate public corporations for hospital purposes attempted to be organized under Act No. 46 adopted at the 1949 Regular Session of the Legislature of Alabama, as originally adopted or as amended, where the governing body of a county has authorized the incorporation of such corporation but where the attempted incorporation is invalid because of some irregularity in the procedure for incorporation.

Mr. Flowers, Chairman of the Standing Committee on Public Health, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, with substitute, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Skidmore, Vann and Leonard (with substitute):

S. 108. To amend Section 211 of Title 46 of the 1940 Code of Alabama, and to repeal Section 210 of Title 46 of the 1940 Code of Alabama, all of said sections being relative to the practice of optometry; to amend the law regulating advertising; to repeal conflicting laws and to set the effective date of this act.

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on

the following bill and ordered same returned to the Senate with a favorable report, with amendment, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Van Antwerp and Metcalf (with amendment):

S. 427. To amend further Section 12 of Act No. 1, H. 46, approved May 22, 1945, which Act provided for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama (General Acts 1945, page 1).

Mr. Tate, Chairman of the Standing Committee on Forestry and Conservation, reported that said Committee, in Session, had acted on the following bill and ordered same returned to the Senate with a favorable report, and it was read a second time and placed on the calendar, to-wit:

By Messrs. Hanby et al:

H. 44. To authorize the State Oil and Gas Board to establish unit operations of a pool or pools, or any portion or portions or combinations thereof, in a field for the production of oil or gas, or both; to prescribe the method for establishing such unit operations; prescribing the method of adopting and promulgating rules and regulations governing such unit operations, and providing for hearings relative thereto and the promulgation of orders in connection therewith.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the Alabama Polytechnic Institute.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

AUGUST 9, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Honorable Paul S. Haley, Jasper, Alabama, as a member of the Board of Trustees, Alabama Polytechnic Institute, from the Seventh District, for the term expiring in January, 1967.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Newton, the rules were suspended and the Senate confirmed the appointment of Honorable Paul S. Haley, Jasper, Alabama, as a member of the Board of Trustees, Alabama Polytechnic Institute, from the Seventh District, for the term expiring in January, 1967, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

RESOLUTION

The Rules Committee reported the following Senate Resolution, to-wit:

S. R. 72. BE IT RESOLVED by the Senate that on the call of the Calendar, and completion of the Unfinished Business, for today the following shall be the special, paramount and continuing order of business for today:

- 1—Local Bills and General Bills with local application
- 2—Senate Bill 143 on page 15
- 3—Senate Bill 9 on page 4
- 4—House Bill 234 on page 49
- 5—Senate Bill 401 on page 59
- 6—House Bill 450 on page 30
- 7—House Bill 133 on page 30
- 8—House Bill 12 on page 48
- 9—House Bill 136 on page 50
- 10—Senate Bill 390 on page 52
- 11—Senate Bill 294 on page 39
- 12—Senate Bill 125 on page 6
- 13—Senate Bill 215 on page 22
- 14—House Bill 135 on page 54

Which was adopted.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Hain:

H. J. R. 81. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the bill, H. 450, proposing an amendment to the Constitution of Alabama relating to the fees, commissions, percentages, allowances, and compensation of certain officers of Dallas County, which has passed both houses and has been enrolled, signed, and deposited with the Secretary of State, is hereby recalled for further consideration by the Legislature, and the Secretary of State is requested to return the same to the House.

Resolved further, that the Clerk of the House is directed to send, forthwith, a true copy of this resolution to the Secretary of State.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Givhan, the Rules were suspended and the Senate concurred in and adopted the Resolution, H. J. R. 81, which said resolution is set out in the foregoing Message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 212. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951), p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

OAKLEY MELTON, JR.,
Clerk.

RESOLUTIONS

Mr. Cooper offered the following Senate Joint Resolution, to-wit:

S. J. R. 73. Whereas the Congress of the United States levied during World War II certain transportation excise taxes, in the amounts of ten per cent on passenger travel and three per cent on freight; and

Whereas these taxes were levied as wartime emergency measures, and, as such, have outlived their justification; and

Whereas there is pending in the Congress of the United States a measure which would effect the repeal of these taxes; now therefore,
BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the Legislature of Alabama does hereby memorialize and petition, and does respectfully urge, the Congress of the United States to provide a measure of needed tax relief to the people of our Nation by enacting the pending legislation to repeal these "wartime" excise taxes levied on transportation.

Be it further resolved that the Secretary of the Senate transmit a duly authenticated copy of this resolution to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to each member of the Alabama delegation in Congress.

On motion of Mr. Cooper, the Rules were suspended and the Resolution adopted by the Senate.

Mr. Lamberth offered the following Senate Resolution, to-wit:

S. R. 74. **RESOLVED BY THE SENATE OF ALABAMA**, that the request for advisory opinions of the Honorable Justices of the Supreme Court of Alabama made in connection with the bill, S. B. 360, in Senate Resolution No. 61, be and the same is, hereby withdrawn, and said resolution is hereby rescinded; and

Resolved further, that the Secretary of the Senate is hereby instructed to send a true copy of this resolution forthwith to the Clerk of the Supreme Court of Alabama.

On motion of Mr. Lamberth, the Rules were suspended, and the Resolution adopted by the Senate.

Messrs. Reeves, Davis (Pickens), Van Antwerp, Yarbrough (Autauga), Robison, Bradford, Hall, Allen, and Lamberth offered the following Senate Joint Resolution, to-wit:

S. J. R. 75. **WHEREAS** the advertising of alcoholic beverages is opposed by a sizable segment of the citizens of Alabama, and

WHEREAS the harm inherent in the excessive use of alcohol is so obvious as to suggest the desirability of voluntarily limiting such advertising; now therefore, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING:

That the Legislature of Alabama does hereby suggest to the publishers of newspapers and magazines, the operators of radio and television facilities and the outdoor advertising services in this State, who now accept advertisements from companies and dealers selling alcoholic beverages, that they henceforth very carefully screen such advertising or that they join those who already voluntarily refuse to accept or run any advertising of this type, and thereby voluntarily do their part in promoting temperance in Alabama.

Be it further resolved, that the Secretary of the Senate release duly authenticated copies of this resolution to the press of Alabama.

On motion of Mr. Reeves, the Rules were suspended and the resolution adopted by the Senate.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 558. To alter, re-arrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the Alabama Polytechnic Institute.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

AUGUST 9, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed, subject to your confirmation, Honorable R. C. "Red" Bamberg, Uniontown, as a member of the Board of Trustees of the Alabama Polytechnic Institute, from the Sixth District, succeeding Judge W. L. Parrish, deceased, for the term expiring in January, 1959.

Respectfully,

JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. James, the Senate confirmed the appointment of Honorable R. C. "Red" Bamberg, Uniontown, as a member of the Board of Trustees of the Alabama Polytechnic Institute, from the Sixth District, which said appointment is set out in the foregoing Message from His Excellency, the Governor.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 71. To provide further the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office, and prescribing penalties.

Also:

H. 387. To provide further for the operation of the county boards of equalization of all counties having a population of not less than 31,500 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prescribing the compensation and expense allowance of the members of such boards, providing for the payment thereof.

Also:

H. 548. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than 14,000 nor more than 16,000, according to the last or any subsequent federal decennial census.

Also:

H. 554. Relating to Cullman County; changing the method of compensating certain officers of the county; placing such officers on a salary; and providing for their assistants, and the office space and equipment necessary for the conduct of their offices.

Also:

H. 652. To extend, alter, rearrange and define the boundary lines and corporate limits of the Town of Georgiana, in Butler County, Alabama.

Also:

H. 674. Relating to Walker County: To authorize the City of Jasper to convey certain property to Walker College, Incorporated.

Also:

H. 734. Relating to all counties having a population of not less than 40,500 nor more than 45,000 inhabitants, according to the last or any subsequent federal census; regulating the compensation and allowances of directors of certain utility boards heretofore or hereafter established in such counties.

Also:

H. 741. To alter or re-arrange the boundary lines of the Town of Geraldine, Alabama, so as to include within the corporate limits of said town or territory not already included therein.

Also:

H. 742. To amend Section 26 of the act approved August 7, 1947, which created and established a civil service system for the City of Dothan (Act No. 273, S. 292, 1947 Local Acts 196).

Also:

H. 744. To provide for the relief of the Estate of William Henry Tennyson out of the General Fund of Jefferson County, Alabama, and to direct Jefferson County, Alabama to pay to the Administratrix of the Estate of William Henry Tennyson the sum of three Thousand Dollars (\$3,000.00).

Also:

H. 763. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 764. To alter, rearrange and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 771. To alter, rearrange and extend the boundaries of the City of Elba in Coffee County.

Also:

H. 777. To amend Section 5 of Act No. 163, Local Acts of Alabama 1943, entitled "An Act to establish a law and equity court for Cherokee County, Alabama; to define its jurisdiction and powers; to provide for its officers, their powers and duties and compensations, to provide that said court shall be open at all times for the trial of cases and transaction of business; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the circuit court and the juvenile court of Cherokee County, Alabama, to the Cherokee Law and Equity Court; and to abolish the County Court of Cherokee County, Alabama; and to give the said Court juvenile jurisdiction", and amended by Act No. 493, Local Acts of Alabama 1945.

Also:

H. 778. To repeal Act No. 584, Acts of Alabama 1951, approved August 30, 1951, entitled "An Act relating to Cherokee County; providing for the payment by the county of the compensation of the chief clerk in the office of the Judge of Probate."

Also:

H. 779. Amending Sections 1, 2 and 3 of Local Act No. 162, Local Acts of Alabama 1943, entitled "An Act to fix the salary of the Probate Judge of Cherokee County, Alabama, the Tax Collector of Cherokee County, the Tax Assessor of Cherokee County, the Clerk of the Court of Cherokee County, the Register in Chancery of Cherokee County, the County Solicitor of Cherokee County, the Sheriff of Cherokee County; to provide for his deputies and to provide for clerical assistance and other expenses of said officers or Probate Judge and Sheriff; to require each of said officers to collect all the fees, compensation and allowances heretofore collected by said officers and which may hereafter be collected by said officers and cover same into the County Treasury on or before the fifth day of each month, and to provide for the payment of the salary of clerical assistance and other office expense by the Treasury of the County", as amended by Act No. 121, Acts of Alabama, 1955.

Also:

H. 782. Relating to Conecuh County: To provide further for purging the registration lists of the names of those electors of Conecuh County who have died, become insane, or convicted of crime, or otherwise disqualified as electors under the provisions of the Constitution, by requiring the re-registration of electors of the county registered on or after January 1, 1903.

Also:

H. 786. Relating to Fayette County; authorizing the court of county commissioners, board of revenue, or like governing body of said county to levy additional county privilege license and excise taxes, for general educational purposes, paralleling the state sales and use taxes provided for in Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations.

Also:

H. 787. To amend Section 7 of an act approved July 7, 1947, entitled "An Act To re-enact Act 123, approved June 12, 1935, entitled, 'An Act To provide for the division of Henry County, Alabama, into four Commissioners Districts; to define the boundary lines thereof; by showing the beats composing such Commissioners Districts; to provide for the election of one Commissioner from each of said Districts; to fix their terms of office; to prescribe their qualifications, powers and duties; to require that said Commissioners be voted for by the voters of the entire County and not by the voters of each Commissioners District; to fix their salaries, terms of office and the filling of vacancies; to fix the date of their election and their successors; to require said Commissioners to give bond and to further regulate and prescribe the powers, authority and duties of said Commissioners Court and to fix penalties for the violation of this Act'" (Act No. 82, H. 340, Local Acts of 1947, p. 58).

Also:

H. 788. To fix the compensation of surgeons and physicians when duly summoned by the coroner in all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census; providing for the method of payment and designating the funds from which payment shall be made:

Also:

H. 792. To require the county board of education of Limestone County to donate to the members of the community in which the school is located the buildings and sites associated with any school discontinued by such board, or to donate the building materials contained in any dismantled school building if the county board of education desires to retain possession of the site thereof; and to authorize the use of such buildings as community centers, or the use of such materials for the construction of community centers.

Also:

H. 793. To designate as "The Buck Island Bridge" the new bridge approved for construction in Limestone County at or near the site of the present bridge of the same name, and to require the governing body of Limestone County to place certain plaques or markers thereon.

Also:

H. 794. To authorize each member of the court of county commissioners, board of revenue or like governing body of Limestone County to construct, within the district which he represents on such county governing body, a shed for the storage of tools and other equipment belonging to the county, and a dwelling house in which he or some competent person designated by him shall reside in order to take care of the county property stored in such shed; and to authorize the expenditure of county funds for such purposes.

Also:

H. 796. To alter, rearrange and extend the boundary lines and corporate limits of the municipality of Boston in Marion County, Alabama, so as to include within the corporate limits of said municipality the unincorporated community of Brilliant, and change the name of the municipality to "Brilliant, Alabama."

Also:

H. 822. To amend Act No. 416, H. 917, approved September 9, 1955 (Acts of Alabama, 1955, p. 960), entitled "An Act To authorize and require Boards of Revenue, Courts of County Commissioners, or other governing bodies in all counties in this State having, or which may hereafter have, a population of not less than 125,000, nor more than 225,000, according to the last, or any subsequent, federal decennial census to provide a pension or retiring allowance plan for the employees of said counties, but not for the elected officials, but providing that the term or terms of office of any elected official who has subsequently returned to the employment service of such counties shall not be included or excluded in computing the length of service of any such employee, or be considered as having interrupted the continuing employment service or status of such employee in determining his or her eligibility for a pension or retiring allowance under the provisions of this Act."

Also:

H. 828. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 829. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 830. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 831. To alter, rearrange and extend the corporate limits of the City of Sylacauga, Talladega County, Alabama.

Also:

H. 837. To authorize and regulate the micro-filming, photostating or other photographic reproduction of books, records, papers and documents required to be maintained and kept by municipal clerks, municipal recorders, municipal police departments, and other agencies or other instrumentalities of all municipalities in counties in this State having a population of not less than ninety-four thousand nor more than one hundred thirty-four thousand according to the last or any subsequent federal decennial census, the destruction or other disposition of the originals

of such books, records, papers and documents, and the substitution of such reproductions for the originals thereof; prescribing the force and effect such reproductions shall have and providing for the certification of copies thereof.

Also:

H. 739. To propose an amendment to the Constitution of Alabama relating to the levy and collection of a special property tax for educational purposes in Butler County.

Also:

H. 774. To propose an amendment to the Constitution of Alabama relative to the fees, commissions, percentages, allowances, and compensation of the judge of probate and other county officers of Madison County.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 621. To authorize, direct and require the State Department of Revenue to collect any sales and use taxes which may be levied in the City of Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of the City of Haleyville: to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated the following joint resolution:

By Mr. Callahan:

H. J. R. 82. WHEREAS, in the untimely passing of Dr. Raymond Ross Paty, former President of the University of Alabama and Director of the Tennessee Valley Authority, the people of the State of Alabama and of the United States have suffered a great loss; and

WHEREAS, during his distinguished career he held important educational posts in Tennessee and at Emory University in Atlanta, was President of Birmingham-Southern College for four years, President of the University of Alabama for four years, Chancellor of the University System of Georgia for two years, and from 1952 to the time of his death a Director of the Tennessee Valley Authority; and

WHEREAS, Dr. Paty's outstanding achievements and ability as an educator has left its mark on the State of Alabama and this section of our Country and his wise and capable leadership of the University of Alabama during the troubled war years was particularly noteworthy and resulted in a tremendous contribution by our State University to the War Effort; and

WHEREAS, as a Director of the Tennessee Valley Authority, Dr. Paty has labored unstintingly and with great success for the development of the Tennessee Valley which has, in large measure, been responsible for the tremendous economic growth of the northern section of our State;

NOW THEREFOR, BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring: That the legislature of Alabama mourns the death of Dr. Raymond Ross Paty, and the individual members thereof unite in honoring his character, ability, and patriotism, and extends sincere and deep sympathy to his family.

BE IT FURTHER RESOLVED that the Clerk of the House be directed to transmit a copy of this resolution to Mrs. Raymond R. Paty.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the Rules were suspended and the resolution, H. J. R. 82, which is set out in the foregoing Message from the House, was concurred in and adopted by the Senate.

BILLS ON THIRD READING

The Bill:

H. 253. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$3,000,000 and to incur indebtedness not exceeding in aggregate \$3,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$3,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment of any indebtedness evidenced by

bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and to provide an effective date of this Act.

Was taken up by unanimous consent.

Mr. Boutwell offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 253

Amend Section 8 of the bill as follows:

(1) Change to a semicolon the period at the end of the second full sentence of the said Section 8 following the phrase "from such date," and add to the end of said sentence the following:

"provided, that the determination by the State Docks Department that the requirements of this sentence have been complied with shall be conclusive of such compliances, and the purchasers of any of the bonds and all subsequent holders thereof shall be fully protected by such determination."

(2) Strike in their entirety the six consecutive sentences of said Section 8, the first of which commences with the phrase "The bonds may be in either bearer or registered form" and the last of which commences with the phrase "Bonds bearing interest at less than five per cent," and insert in lieu of the sentences so struck the following sentences:

"Any interest coupons applicable to the bonds and evidencing the payment of interest thereon shall be signed with the facsimile signature of the State Treasurer imprinted thereon. The bonds may be in either bearer or registered form either as to principal or interest or both, and the State Docks Department, with the approval of the Governor, is authorized to provide terms and conditions under which any of the bonds may be exchanged for like bonds of other denominations and may be converted from bearer bonds into registered bonds, either as to principal or interest or both, and converted from registered bonds into bearer bonds. The bonds of each series may, in the order under which they are issued be made subject to redemption at the option of the State Docks Department on such dates and on such conditions and upon payment of such premium as may be prescribed in the order under which they are issued; provided, that each series of bonds having an installment of principal maturing more than ten years after the date thereof shall be made subject to redemption prior to maturity, at the option of the State Docks Department, at the end of the tenth year following their date and semi-annually thereafter, as a whole or in part in the inverse order of the numbers of the bonds of that series; and provided further, that any redemption price required to be paid in order to effect any redemption of bonds prior to maturity shall not exceed the face value of each bond redeemed plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest on such bond. The bonds of each series shall bear interest at such rate or rates as may be fixed at

the time of the sale thereof and shall be sold at not less than the face value thereof plus accrued interest thereon to the date of their delivery."

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Dyar	James	Shelton
Allen	Eddins	Jones	Skidmore
Boutwell	Engelhardt	Lamberth	Tate
Bradford	Flowers	Little	Van Antwerp
Calvin	Givhan	Metcalf	Vann
Cantrell	Goodwin	Moses	Yarbrough (Autauga)
Davis (Lowndes)	Grisham	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Hall	Robison	—30

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 32; Nay 1.

Yeas:

Messrs.:	Eddins	Jones	Shelton
Allen	Engelhardt	Lamberth	Skidmore
Boutwell	Flowers	Little	Smith
Bradford	Givhan	Metcalf	Tate
Calvin	Goodwin	Moses	Van Antwerp
Cantrell	Grisham	Newton	Vann
Cooper	Hall	Roberts	Yarbrough (Autauga)
Davis (Pickens)	James	Robison	Yarbrough (Randolph)
Dyar			—32

Nay: Mr. Davis (Lowndes) —1

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, relative to the Board of Trustees of the Alabama Institute for the Deaf and Blind School, located at Talladega, Alabama.

Respectfully submitted,

RALPH HAMMOND,
Executive Secretary.

AUGUST 9, 1957

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I have appointed the following, subject to your confirmation, as members of the Board of Trustees, Alabama Institute for the Deaf and Blind, located at Talladega, Alabama:

Honorable Cicero Alston, Linden—From the First District, for the term expiring November 26, 1962.

Honorable John Haygood Paterson, Montgomery—From the Second District, for the term expiring November 26, 1962.

Honorable W. D. Kendrick, Birmingham—From the Ninth District, for the term expiring November 26, 1960.

Respectfully,
JAMES E. FOLSOM,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Lamberth, the Rules were suspended, and the Senate confirmed the appointments of the following as members of the Board of Trustees, Alabama Institute for the Deaf and Blind:

Honorable Cicero Alston

Honorable John Haygood Paterson

Honorable W. D. Kendrick

Which said appointments are set out in the foregoing Message from His Excellency, the Governor.

CALENDAR BILL INDEFINITELY POSTPONED

On motion of Mr. Flowers, further consideration of the bill, S. B. 119, and pending substitute, was indefinitely postponed.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Bills, your signature thereto is requested.

H. 164. To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama, who had attained age 70 as of July 1, 1951 and who was not eligible to become a member of the Teachers' Retirement System as of July 1, 1951, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of Title 52 of the Code of Alabama of 1940 as amended; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; to repeal Act No. 63 approved June 3, 1953 relating to provisions for old age assistance to teachers; and to provide the appropriation necessary to carry out the provisions of this Act.

Also:

H. 212. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951 (Acts of Alabama, 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof."

Also:

H. 558. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Gulf Shores in Baldwin County.

Also:

H. 621. To authorize, direct and require the State Department of Revenue to collect any sales and use taxes which may be levied in the City of Haleyville, in Winston County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of the City of Haleyville: To prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes, and remitting the proceeds thereof.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF BILLS

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after their titles had been publicly read at length by the Secretary of the Senate, signed the foregoing bills; the titles of which are set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 81. Relative to recalling House Bill 450 which has passed both houses from the Secretary of State for further consideration.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 73. Relative to memorializing and petitioning Congress of the United States to provide a measure of needed tax relief to the people of our Nation by enacting the pending legislation to repeal these "war-time" excise taxes levied on transportation.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has amended as therein shown and as amended has passed the following Senate bill:

S. 300. To amend Section 2 of the Act approved June 23, 1949, which created and established the Board of Revenue in and for Colbert County (Act No. 131, H. 333, 1949 Acts 157).

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Cantrell, the Senate concurred in and adopted the following House Amendment to the bill, S. B. 300, the title of which is set out in the foregoing Message from the House.

AMENDMENT TO SENATE BILL 300

Amend Section 1 of Senate Bill 300 to read as follows:

"Section 2. For the purposes of this Act Colbert County shall remain divided into four districts as provided by Act No. 184, H. 564, approved June 23, 1945 (Local Acts of Alabama, 1945, page 101), except it is hereby provided that the South one quarter ($\frac{1}{4}$) of Section 5, Section 8 and Section 17, in Township 4, Range 14, in Colbert County, shall be and hereby are included in and shall form a part of the South West District."

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Metcalf	Vann
Bradford	Givhan	Moses	Yarbrough (Autauga)
Calvin	Goodwin	Smith	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays:

—0

RESOLUTIONS

Mr. Roberts offered the following Senate Resolution, to-wit:

S. R. 76. RESOLVED BY THE SENATE OF THE LEGISLATURE OF ALABAMA, that the Justices of the Supreme Court, or a majority of them, are hereby respectfully requested to give this body their written opinions on the following important constitutional questions which have arisen in connection with the pending bill, S. B. 482, a true copy of which is attached hereto and made a part hereof by reference:

Question 1. Does the bill propose a general law within the meaning of Section 110 of the Constitution of Alabama?

Question 2. Does the bill propose a law that would contravene Section 93 of said Constitution?

Question 3. Does the bill propose a law that would be violative of Section 94 of said Constitution?

Question 4. Does the bill propose a law that would contravene Section 89 of said Constitution?

Resolved further, that the Secretary of the Senate is hereby directed to transmit forthwith four duly authenticated copies of this resolution to the Clerk of the Supreme Court of Alabama, and said Clerk is requested to present the matter to the Honorable Chief Justice of the Supreme Court at the earliest possible date.

Which was read and referred to the Standing Committee on Rules.

The Standing Committee on Rules reported the following Senate Joint Resolution, to-wit:

S. J. R. 77. BE IT RESOLVED BY the Senate, the House concurring, that when the two Houses adjourn today they adjourn to meet again on Tuesday, August 13, 1957.

On motion of Mr. Lamberth, the Resolution was adopted by the Senate.

BILLS ON THIRD READING RESUMED

The Bill:

S. 411. Authorizing counties having a population of not less than 65,000 nor more than 75,000, according to the last or any subsequent federal decennial census, and the municipalities within such counties, either singly or jointly, to create Airport Authority Boards; providing for the selection of the members of such boards, and prescribing their qualifications, terms, and compensation; and providing for the organization, jurisdiction, powers, and duties of such boards.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Goodwin	Robison
Bradford	Dyar	Moses	Van Antwerp
Calvin	Eddins	Newton	Vann
Cantrell	Engelhardt	Reeves	Yarbrough (Autauga)
Cooper	Flowers	Roberts	Yarbrough (Randolph)
Davis (Lowndes)	Givhan		—21

Nays:

—0

The Bill:

S. 419. To regulate further the office of circuit solicitor of the Fifth Judicial Circuit of Alabama: Creating special funds for expenditure by the Circuit Solicitor in Law Enforcement and in the conduct of his office.

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Jones	Little
Davis (Lowndes)	Hall	Lamberth	Newton
Davis (Pickens)	James	Leonard	Reeves

Roberts	Skidmore	Van Antwerp	Yarbrough (Autauga)
Robison	Smith	Vann	Yarbrough (Randolph)
Shelton	Tate		—21

Nays:

—0

The Bill:

S. 414. Relating to counties having a population of not less than 75,000 nor more than 90,000, according to the last or any subsequent federal decennial census; providing that the territory annexed to any city or town in such counties shall be subject immediately to all its laws and ordinances, and that its governing body shall have the same jurisdiction over such territory, including the authority to levy and collect taxes therein, as is exercised over all other territory within the corporate limits of the city or town.

Was taken up.

Mr. Shelton offered the following amendment to the bill, to-wit:

Amend the bill, S. B. 414, by striking out the figures "90,000" wherever they appear in the caption and in the body of the bill and inserting the figures "125,000" in lieu thereof.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Allen	James	Robison	Van Antwerp
Davis (Pickens)	Jones	Shelton	Vann
Dyar	Lamberth	Skidmore	Yarbrough (Autauga)
Eddins	Leonard	Smith	Yarbrough (Randolph)
Grisham	Reeves		—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	James	Roberts	Tate
Allen	Jones	Robison	Van Antwerp
Davis (Pickens)	Lamberth	Shelton	Vann
Dyar	Leonard	Skidmore	Yarbrough (Autauga)
Eddins	Little	Smith	Yarbrough (Randolph)
Hall	Reeves		—21

Nays:

—0

The Bill:

S. 442. To amend Section 3 of the act approved September 2, 1949, which created a plumbers examining board in all counties having a population of not less than 140,000, according to the last or any subsequent federal decennial census (Act No. 529, H. 977, 1949 Acts 827).

Was read a third time at length and passed, and ordered sent forthwith to the House without engrossment:

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Cooper	James	Robison	Van Antwerp
Davis (Lowndes)	Jones	Shelton	Vann
Davis (Pickens)	Moses	Skidmore	Yarbrough (Autauga)
Dyar	Newton	Smith	Yarbrough (Randolph)
Grisham	Reeves		—21

Nays:

—0

The Bill:

S. 413. Relating to counties having a population of not less than 75,000 nor more than 90,000, according to the last or any subsequent federal decennial census; further regulating the alteration and extension of the corporate limits and boundaries of incorporated municipalities in such counties.

Was taken up.

Mr. Shelton offered the following amendment to the bill, to-wit:

Amend the Bill, S. B. 413, by striking out the figure 90,000 and inserting in lieu thereof the figure 125,000.

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Leonard	Skidmore
Allen	Grisham	Reeves	Smith
Cooper	Hall	Roberts	Tate
Davis (Lowndes)	James	Robison	Van Antwerp
Davis (Pickens)	Jones	Shelton	Vann
Dyar	Lamberth		—21

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Leonard	Skidmore
Allen	Grisham	Reeves	Smith
Cooper	Hall	Roberts	Tate
Davis (Lowndes)	James	Robison	Van Antwerp
Davis (Pickens)	Jones	Shelton	Vann
Dyar	Lamberth		—21

Nays:

—0

The Bill:

H. 730. Relating to municipalities having a population of not less than 3,250 nor more than 3,350, according to the last or any subsequent federal decennial census; providing further for the public health and safety in such municipalities; prohibiting any person to build, maintain, or use a privy, or to own any building which does not have screened doors and windows, in such municipalities; and providing for the installation of water closets, septic tanks, and screens, and for the connection of such water closets with such septic tanks or the municipal

sewerage system, by the municipality, and for the assessment of the cost thereof against the owner, in the event the owner fails to make such installation or connection, or to screen such doors and windows.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Metcalf	Tate
Allen	Givhan	Moses	Van Antwerp
Boutwell	Goodwin	Shelton	Vann
Bradford	Lamberth	Skidmore	Yarbrough (Autauga)
Eddins	Leonard	Smith	Yarbrough (Randolph)
Engelhardt	Little		—21

Nays:

—0

The Bill:

H. 743. To fix the fee and allowance of the Sheriff of all counties having a population of Five Hundred Thousand (500,000) or more inhabitants according to the last or any subsequent Federal census for serving a summons or other mesne process, except subpoenas for witnesses; repealing conflicting laws.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Roberts	Tate
Allen	Grisham	Robison	Van Antwerp
Boutwell	Hall	Shelton	Vann
Bradford	James	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Jones	Smith	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays:

—0

The Bill:

H. 127. To amend Section 1 of an act approved August 3, 1955, entitled "An Act To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges," (Act No. 210, H. 699, Acts of 1955, Vol. I, p. 515).

Was taken up.

Mr. Van Antwerp offered the following amendment to the bill, to-wit:

Amend the bill, H. R. 127, as follows:

Strike out the words and figures "an annual salary of thirty-five hundred dollars; this to be in addition to the salary paid such solicitor by the State of Alabama." and insert in lieu thereof the following: "an annual supplement to his salary payable by the State in such an amount as may be necessary to make his entire compensation payable by the State and the county an amount equal to twelve thousand seven hundred fifty dollars (\$12,750) per annum."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Roberts	Tate
Allen	Engelhardt	Robison	Van Antwerp
Boutwell	Hall	Shelton	Vann
Davis (Lowndes)	James	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Jones	Smith	Yarbrough (Randolph)
Dyar	Reeves		—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Roberts	Tate
Allen	Engelhardt	Robison	Van Antwerp
Boutwell	Hall	Shelton	Vann
Davis (Lowndes)	James	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Jones	Smith	Yarbrough (Randolph)
Dyar	Reeves		—21

Nays: —0

The Bill:

H. 745. To apply to all counties having a population in excess of 500,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the licensing of persons engaged in the business of cleaning septic tanks; imposing license and permit fees; providing for enforcement of the Act and prescribing penalties.

Was taken up.

Mr. Boutwell offered the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 745

The fourth sentence of Section 2 of H. B. 745 is hereby amended as follows:

At the end of that said sentence, the period is changed to semi-colon and the following is added thereto:

“provided, however, that the aggregate liability of the surety to all such persons shall, in no event, exceed the amount of such bond.”

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Tate
Allen	Eddins	Leonard	Van Antwerp
Boutwell	Grisham	Little	Vann
Bradford	Hall	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Lamberth	Tate
Allen	Eddins	Leonard	Van Antwerp
Boutwell	Grisham	Little	Vann
Bradford	Hall	Roberts	Yarbrough (Autauga)
Davis (Lowndes)	James	Robison	Yarbrough (Randolph)
Davis (Pickens)	Jones		—21

Nays:

—0

The Bill:

H. 683. Relating to the Thirty-first Judicial Circuit; providing for separation of the jury in the circuit courts of the counties composing such circuit (Colbert and Franklin) by consent.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Newton	Skidmore
Allen	Engelhardt	Reeves	Van Antwerp
Boutwell	Flowers	Roberts	Vann
Bradford	Givhan	Robison	Yarbrough (Autauga)
Calvin	Goodwin	Shelton	Yarbrough (Randolph)
Cantrell	Moses		—21

Nays:

—0

The Bill:

H. 823. To extend the boundary lines of the City of Decatur in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Calvin	James	Robison	Van Antwerp
Cantrell	Jones	Shelton	Vann
Cooper	Lamberth	Skidmore	Yarbrough (Autauga)
Eddins	Newton	Smith	Yarbrough (Randolph)
Engelhardt	Reeves		—21

Nays:

—0

The Bill:

H. 824. To further amend Act No. 415, H. 665, approved September 24, 1919, entitled "An Act To establish a County Court for Morgan County; to define its jurisdiction and powers; to provide for its officers, their powers, duties and compensation; to provide that the said court shall be open at all times for the trial of cases and transaction of business; prescribing rules and procedure of said court; and to provide for the transfer of certain causes now or hereafter pending in the Circuit Court of Morgan County to the Morgan County Court."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Skidmore	
Allen	Engelhardt	Little	Smith	
Boutwell	Flowers	Metcalf	Tate	
Bradford	Givhan	Moses	Van Antwerp	
Calvin	Goodwin	Shelton	Vann	
Cantrell	Lamberth			—21

Nays: —0

The Bill:

H. 832. To fix the compensation of the county solicitor, deputy solicitor, or deputy circuit solicitor of all counties having a population of not less than twenty-four thousand nor more than twenty-five thousand five hundred, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate	
Cantrell	Grisham	Reeves	Van Antwerp	
Cooper	Hall	Roberts	Vann	
Davis (Lowndes)	James	Robison	Yarbrough (Autauga)	
Davis (Pickens)	Jones	Shelton	Yarbrough (Randolph)	
Dyar	Lamberth			—21

Nays: —0

The Bill:

H. 843. To regulate further the compensation of the Superintendent of Education of Chilton County.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Metcalf	Tate	
Allen	Engelhardt	Moses	Van Antwerp	
Boutwell	Hall	Newton	Vann	
Bradford	James	Robison	Yarbrough (Autauga)	
Calvin	Jones	Smith	Yarbrough (Randolph)	
Dyar	Lamberth			—21

Nays: —0

The Bill:

H. 844. To alter, re-arrange and extend the boundaries of the City of Clanton.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Lamberth	Robison
Allen	Engelhardt	Leonard	Shelton
Cooper	Flowers	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)
Dyar	Jones		—21

Nays:

—0

The Bill:

H. 855. To provide for and fix the sum of \$1,000 per year as an allowance for expenses for the president of the commission of any city having a population of 300,000 inhabitants or more according to the last or any subsequent federal census for which he shall not be required to file an accounting.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Newton	Tate
Allen	Engelhardt	Robison	Van Antwerp
Boutwell	Flowers	Shelton	Vann
Bradford	Givhan	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Jones	Smith	Yarbrough (Randolph)
Dyar	Moses		—21

Nays:

—0

The Bill:

H. 856. To alter and extend the boundaries of the City of Birmingham.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Engelhardt	Little	Van Antwerp
Boutwell	Flowers	Roberts	Vann
Bradford	Givhan	Robison	Yarbrough (Autauga)
Calvin	Jones	Shelton	Yarbrough (Randolph)
Cantrell	Lamberth		—21

Nays:

—0

The Bill:

H. 867. To provide that any monies heretofore to hereafter collected or on hand for the maintenance of the Law Library of the Circuit Court of any county in Alabama having a population of not less than 94,000 people and not more than 135,000 people, according to the last or any subsequent Federal decennial census shall be expended for the employment of, and salary for, a person or persons to act as librarian, for law books and furniture and equipment, and for other necessary maintenance of the Law Library of such Courts and for no other purpose.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Davis (Pickens)	Jones	Moses	
Allen	Dyar	Lamberth	Shelton	
Boutwell	Goodwin	Leonard	Skidmore	
Bradford	Grisham	Little	Smith	
Calvin	Hall	Metcalf	Tate	
Davis (Lowndes)	James			—21

Nays: —0

The Bill:

H. 872. Relating to Butler County: authorizing and directing the court of county commissioners, board of revenue, or like governing body of Butler County to provide for reimbursing the County Solicitor of Butler County, the expenses incurred by him in maintaining his office, and in the performance of his duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Flowers	Little	Tate	
Calvin	Givhan	Newton	Van Antwerp	
Cantrell	Goodwin	Shelton	Vann	
Cooper	Grisham	Skidmore	Yarbrough (Autauga)	
Eddins	Lamberth	Smith	Yarbrough (Randolph)	
Engelhardt	Leonard			—21

Nays: —0

The Bill:

H. 873. Relating to Butler County; authorizing and directing the court of county commissioners, board of revenue, or like governing body of said county to provide for reimbursing the Judge of the Inferior Court of Butler County the expenses incurred by him in maintaining his office and in the performance of his duties.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Goodwin	Newton	Skidmore	
Allen	Grisham	Reeves	Van Antwerp	
Boutwell	Hall	Roberts	Vann	
Davis (Lowndes)	James	Robison	Yarbrough (Autauga)	
Davis (Pickens)	Jones	Shelton	Yarbrough (Randolph)	
Dyar	Lamberth			—21

Nays: —0

The Bill:

H. 874. To amend Sections 1, 4, and 9 of the act approved May 23, 1951 which created and established in Butler County a court known as "The Inferior Court of Butler County, Alabama" (Act No. 27, H. 213, Acts of 1951, Vol. I, p. 235).

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Grisham	Robison
Calvin	Eddins	Moses	Van Antwerp
Cantrell	Engelhardt	Newton	Vann
Cooper	Flowers	Reeves	Yarbrough (Autauga)
Davis (Lowndes)	Givhan	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Goodwin		—21

Nays:

—0

The Bill:

H. 876. To amend Act No. 455 of the General Acts of Alabama of 1949, Page 659 which provides that in all counties in this State having a population of not less than 140,000 nor more than 300,000 according to the last or any subsequent Federal census, for an action of ejectment to recover possession of real property sold under an agreement of sale whereby title to said real property is retained until full payment of the purchase price is made when default has been made in the payments provided for by such agreement of sale and to provide for the redemption of such property, by adding to said Act Section 14 which provides that said Act shall not apply to real estate on which buildings and improvements are not located on the date of said agreement, and Section 15 which provides that any such agreements of sale covering such unimproved real property may be cancelled and annulled when the purchaser has defaulted in the payments due by such agreement for a period of ninety (90) days by written notice to the purchaser either served on him personally or by registered mail of such default and cancellation.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Cooper	Hall	Reeves
Allen	Davis (Lowndes)	James	Roberts
Boutwell	Davis (Pickens)	Lamberth	Robison
Bradford	Eddins	Moses	Tate
Calvin	Engelhardt	Newton	Van Antwerp
Cantrell	Flowers		—21

Nays:

—0

The Bill:

H. 877. To amend Section 1 and Section 7, of an act approved August 17, 1953, (Act No. 343, H. 662, Acts of 1953, Volume I, Page 404), entitled "AN ACT to provide for the establishment and administration of a supplementary retirement fund for deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks employed by the sheriff in counties having a population of 400,000 or more according to the last or any future federal census and for the payment of benefits to the deputy sheriffs, wardens, assistant wardens, transfer agents, prison clerks, or identification clerks, of the sheriff's office in such counties; to provide for the apportionment of pistol permit fees issued by the sheriff."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Allen	Grisham	Robison	Van Antwerp
Boutwell	Hall	Shelton	Vann
Bradford	James	Skidmore	Yarbrough (Autauga)
Davis (Pickens)	Jones	Smith	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays: —0

The Bill:

H. 883. To amend further Section 5 of Act No. 198, H. 526, approved July 16, 1953 (Acts of Alabama 1953, Vol. I, p. 263), entitled "An Act Creating the office of County Engineer for Marion County, Alabama; prescribing his qualifications, term of office, and salary; repealing conflicting law."

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Tate
Cantrell	Grisham	Reeves	Van Antwerp
Cooper	Hall	Roberts	Vann
Davis (Lowndes)	James	Robison	Yarbrough (Autauga)
Davis (Pickens)	Jones	Shelton	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays: —0

The Bill:

H. 791. To authorize and require the governing body of Limestone County to place certain plaques or markers on the Vaughn-Easter Ferry Bridge, which is located within that county.

Was taken up.

The Standing Committee on Local Legislation reported the following amendment to the bill, to-wit:

AMENDMENT TO H. B. 791

Amend H. B. No. 791 by striking from the Title and Section 1 of the bill the following words: "Vaughn-Easter Ferry Bridge," and inserting in lieu thereof the following words: "Vaughan-Easter Ferry Bridge."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Grisham	Moses
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Yarbrough (Autauga)
Davis (Lowndes)	Givhan	Metcalf	Yarbrough (Randolph)
Davis (Pickens)	Goodwin		—21

Nays: —0

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Dyar	Grisham	Moses
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Yarbrough (Autauga)
Davis (Lowndes)	Givhan	Metcalf	Yarbrough (Randolph)
Davis (Pickens)	Goodwin		—21

Nays:

—0

The Bill:

H. 128. Relating to Mobile County: To amend further Sections 1 and 3 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), entitled "An Act to place the Sheriff of Mobile County, Alabama, on a salary basis, and to provide the salary to be paid to such officer; to provide the date on which said officer shall be placed on a salary basis; to provide for the manner of payment of said salary of such officer out of the County Treasury of Mobile County, Alabama; to provide deputies, clerks, guards, and other assistants for such officer and to provide the salaries and manner of payment of such salaries for such deputies, clerks, guards and other assistants; to provide for payment into the Treasury of Mobile County, Alabama, of all fees, fines and forfeitures collected by said officer; and to provide for the necessary equipment and supplies for said officer," to provide for the compensation of the chief deputy sheriff; to provide for the appointment and compensation of an assistant chief deputy sheriff and a chief clerk in the office of the sheriff; and to provide for the official bond of the chief deputy sheriff, assistant chief deputy sheriff, and the chief clerk.

Was read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Eddins	Newton	Skidmore
Cantrell	Engelhardt	Reeves	Van Antwerp
Cooper	Hall	Roberts	Vann
Davis (Lowndes)	James	Robison	Yarbrough (Autauga)
Davis (Pickens)	Jones	Shelton	Yarbrough (Randolph)
Dyar	Lamberth		—21

Nays:

—0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Grouby:

H. 946. Relating to Autauga County; to change the name of the armory located at Prattville in Autauga County to "Fort Harry M. Doster" in honor of the late Harry M. Doster, and to authorize and direct the Armory Commission and/or the State Military Department to so designate such armory.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County; to change the name of the armory located at Prattville in Autauga County to "Fort Harry M. Doster" in honor of the late Harry M. Doster, and to authorize and direct the Armory Commission and/or the State Military Department to so designate such armory.

Be It Enacted by the Legislature of Alabama:

Section 1. The national guard armory constructed and maintained at Prattville in Autauga County shall be named, designated and known as "Fort Harry M. Doster" in honor of the late Harry M. Doster of Autauga County; and the Armory Commission and/or the State Military Department is hereby authorized and directed to so designate such armory by the name herein prescribed.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

11J4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1957.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me August 1, 1957.

EFFIE A. CARTER,
Notary Public.

Also:

By Mr. Grouby:

H. 947. To amend Section 16 of an act approved September 23, 1947, the act establishing the Court of Common Pleas of Autauga County, Alabama (Act No. 445, H. 858, 1947 Local Acts 303).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 16 of an act approved September 23, 1947, the act establishing the Court of Common Pleas of Autauga County, Alabama (Act No. 445, H. 858, 1947 Local Acts 303).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 16 of an act approved September 23, 1947, the act establishing the Court of Common Pleas of Autauga County, Alabama (Act No. 445, H. 858, 1947 Local Acts 303), is amended to read as follows:

"Section 16. That all criminal cases in said court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in said court, the judge shall determine both the law and facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of 1940, except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal. In the absence of the regular judge, the clerk of the court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilt and assess against such defendant such fine and costs as may be authorized by law; and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

11J4c.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1957.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me August 1, 1957.

EFFIE A. CARTER,
Notary Public.

Also:

By Messrs. McLendon and Crook:

H. 948. Relating to Bullock County; prohibiting the expenditure of any public funds of said county for the purpose of providing public assistance to or for any bastard child.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to Bullock County; prohibiting the expenditure of any public funds of said county for the purpose of providing public assistance to or for any bastard child.

Be It Enacted by the Legislature of Alabama:

Section 1. Whoever spends or causes to be spent, pays out, or draws upon any public funds of Bullock County for the purpose of providing public assistance or welfare aid to or on behalf of any bastard child is guilty of a misdemeanor and upon conviction shall be punished as prescribed by law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

7-11-4tc.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County, in said State, this day personally appeared Wm. H. Garner, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1957.

WM. H. GARNER.

Sworn to and subscribed before me August 2, 1957.

RUBYE M. GARNER,
Notary Public.

Also:

By Mr. Locke (Choctaw)::

H. 951. To alter, re-arrange and extend the boundaries of the municipality of Butler in Choctaw County; annexing certain territory to said town.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF CHOCTAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries of the municipality of Butler in Choctaw County; annexing certain territory to said town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Butler in Choctaw County are hereby altered, rearranged and extended so as to include within the corporate limits of said municipality the following described land, lying and being in said county, in addition to the territory now lying within the corporate limits of said municipality, to-wit:

"The north half of the southeast quarter, the northeast quarter of the northeast quarter of the southwest quarter, the west half of the northeast quarter of the southwest quarter, and the west half of the southeast quarter of the southwest quarter, Section 13, Township 13 North, Range 3 West; also, the west half of the northeast quarter of the northwest quarter, the west half of the southeast quarter of the northwest quarter, the southeast quarter of the southeast quarter of the northwest quarter, and the south half of the southwest quarter of the northeast quarter, Section 24, Township 13 North, Range 3 West; also, the north half of the southwest quarter of the northeast quarter, the north half of the southeast quarter of the northeast quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northeast quarter, Section 18, Township 13 North, Range 2 West; also, the east half of the northwest quarter of the southeast quarter, the east half of the southwest quarter of the southeast quarter, the northeast quarter of the southeast quarter, and the southeast quarter of the southeast quarter, Section 19, Township 13 North, Range 2 West; also, the north half of the southwest quarter of the southwest quarter, the southeast quarter of the southwest quarter, the north half of the southwest quarter, and the west half of the southeast quarter, Section 17, Township 13 North, Range 2 West; also, the east half of the northwest quarter, and the northwest quarter of the northeast quarter, Section 20, Township 13, North, Range 2 West."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. D. Blount, who, being by me first duly sworn, deposes and says that during the times herein

mentioned he was Publisher of The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1957.

D. D. BLOUNT.

Sworn to and subscribed before me August 1, 1957.

MABEL STEPHENSON,
Notary Public.

My commission expires Jan. 8, 1958.

Also:

By Messrs. Gilmer, Hain and Hardy:

H. 952. Relating to Dallas County; to authorize the judge of probate to have certain chattel mortgage records microfilmed and thereafter to destroy such records and to prescribe the force and effect of such microfilmed records and prints made therefrom.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Dallas County; to authorize the judge of probate to have certain chattel mortgage records microfilmed and thereafter to destroy such records and to prescribe the force and effect of such microfilmed records and prints made therefrom.

Be It Enacted by the Legislature of Alabama:

Section 1. The judge of probate of Dallas County may have the records of chattel mortgages which have been of record in his office for ten years or more microfilmed, and when such chattel mortgage records have been microfilmed under the provisions of this Act and the microfilm copy has been processed and checked with the original record for accuracy the judge of probate is authorized to destroy such original chattel mortgage records.

Section 2. Such microfilmed records or a print made therefrom, when duly authenticated by the judge of probate shall have the same force and effect as the original record, or a record made by any other legally authorized means, and may be offered in like manner and shall be received in evidence in any court where such original record, or record made by other legally authorized means, could have been so introduced and received.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

11-18-25-Aug. 1.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cornelia L. Morrison, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1957.

CORNELIA L. MORRISON,
Bookkeeper.

Sworn to and subscribed before me August 1, 1957.

FRANK FORD,
Notary Public.

Also:

By Messrs. Gilmer, Hain and Hardy:

H. 953. Relating to Dallas County, to authorize and direct the Court of County Revenues or other county governing body to pay from county funds the premium which is required of the Chief Clerk of the Probate Office of Dallas County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; to authorize and direct The Court of County Revenues or other county governing body to pay from county funds the premium which is required of the Chief Clerk of the Probate Office of Dallas County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Revenues or other governing body of Dallas County is hereby authorized and directed to provide for the payment out of funds in the county treasury of the premium on any bond for the faithful performance of his duties that the Chief Clerk of the Probate Office of Dallas County is required to post.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

11-18-25-Aug. 1.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cornelia L. Morrison, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Selma Times Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 11, July 18, July 25, and August 1, all in the year 1957.

CORNELIA L. MORRISON,
Bookkeeper.

Sworn to and subscribed before me August 1, 1957.

FRANK FORD,
Notary Public.

Also:

By Mr. Lee (Lawrence):

H. 966. To levy additional privilege license and excise taxes for purposes of public school construction within Lawrence County, such taxes to parallel the state sales and use taxes provided for in Section 752 through Section 811, and Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended and supplemented; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To levy additional privilege licenses and excise taxes for purposes of public school construction within Lawrence County, such taxes to parallel the state sales and use taxes provided for in Section 752 through Section 811, and Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended and supplemented; providing for the collection

of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied and imposed in Lawrence County, in addition to all other taxes of every kind now imposed by law, a county privilege or license tax against the person on account of business activities in an amount to be determined by the application of rates against gross sales or gross receipts, as the case may be, and a county excise tax, as follows:

1. Upon every person, firm, or corporation engaged or continuing within Lawrence County in business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks), an amount equal to one per cent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business.

2. Upon every person, firm, or corporation engaged or continuing within Lawrence County in the business of conducting or operating places of amusement, or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudeville, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or city school, or other institution, association, or school), skating rink, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Lawrence County, an amount equal to one per cent of the gross receipts of any such business.

3. An excise tax on the storage, use or other consumption in Lawrence County of tangible personal property purchased at retail, at the rate of one per cent of the sales price of such property.

4. Upon every person, firm, or corporation engaged or continuing within Lawrence County in the business of selling any automotive vehicle or truck trailer and semi-trailer, an amount equal to one-third of one per cent of the gross proceeds of the sale of such automotive vehicle, truck trailer, and semi-trailer.

5. Upon every person, firm or corporation engaged or continuing within Lawrence County in the business of selling any used automotive vehicle or truck trailer or semi-trailer, where such vehicles are bought for purposes of resale, an amount equal to one-third of one per cent of the gross proceeds of the sale of said automotive vehicle or truck trailer and semi-trailer; provided, however, this subsection shall not apply to the sale of any used automotive vehicle or truck trailer or

semi-trailer where it was acquired as a part of the consideration for the sale, trade, or exchange, in the county of any new or used motor vehicle, truck trailer, or semi-trailer.

6. An excise tax on the storage, use, or other consumption, in the county of any new or used automotive vehicle, truck trailer, or semi-trailer purchased at retail on or after the date a tax is imposed under the authority of this Act for storage, use, or other consumption in the county at the rate of one-third of one per cent of the sales price of such automotive vehicle, truck trailer, or semi-trailer.

The taxes authorized to be levied by this Act shall be subject to all definitions, exemptions, proceedings, rules, regulations, requirements, fines, penalties, punishments, and deductions as are provided in Section 752 through Section 811, and Articles 10 and 11, of Chapter 20, Title 51, Code of Alabama (1940), and all acts amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collection thereof.

Every person storing, using, or otherwise consuming in Lawrence County any tangible personal property purchased at retail shall be liable for the tax authorized to be imposed by Paragraph 3 or 6 above, and the liability shall not be extinguished until the tax has been paid, provided that a receipt from a retailer maintaining a place of business in the county showing the payment of said tax shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 2. The taxes herein authorized, when levied in accordance with the provisions of this Act, shall be collected by the Department of Revenue of the State of Alabama, at the same time and along with the collection by that department of taxes levied and collected for the State of Alabama under the provisions of Section 752 through Section 811, and Articles 10 and 11, of Chapter 20, Title 51, Code of Alabama (1940), and all acts amendatory thereof or supplementary thereto, and all reports now required to be made to the Commissioner of Revenue shall, on the request of the Department of Revenue, be available for inspection by the chairman of the court of county commissioners, board of revenue or like governing body of Lawrence County, or his designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms, and other information as may be necessary for the collection of the county taxes authorized to be levied by this Act, and shall have all the authority and duties in connection with such taxes as are now given by law to the Department of Revenue or the Commissioner of Revenue in connection with the collection of the state sales and use taxes provided for by Section 752 through Section 811, and Articles 10 and 11, of Chapter 20, Title 51, Code of Alabama (1940), and all acts amendatory thereof or supplementary thereto. It shall be the duty of the Commissioner of Revenue to pay into the State Treasury all taxes collected under this Act and on or before the first day of the following month, the Commissioner shall certify to the State Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use and benefit of Lawrence County during the calendar month immediately preceding the month of making such certificate. Whereupon, it shall be the duty of the Comptroller to issue his warrant on the State Treasury, payable to the custodian of the public school funds of Lawrence County, in his official capacity, in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of Lawrence County and paid into the State Treasury. The county

board of education shall allocate and spend the proceeds of such taxes for the benefit of the various schools in the school system of the county in proportion to the number of pupils in average daily attendance at each school. It is provided, however, that chasing, altering, enlarging, improving, repairing, and equipping school buildings, and school playgrounds, and acquiring sites for any such buildings and playgrounds.

Section 3. The Department of Revenue shall charge Lawrence County for collecting the special taxes herein authorized a percentage of the taxes to be computed on the same basis as the total cost of collecting the state sales and use taxes bears to the total amount of state sales and use taxes collected for each fiscal year ending September 30. Such charge for collecting the special taxes shall be deducted once each year from the special sales and special use taxes collected in the month of September of each year before certifying the amount of special sales and special use taxes due Lawrence County for that month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and otherwise to enforce the provisions of this Act, including any litigation involving the Act, and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the county.

Section 4. The taxes authorized herein, together with the interest and penalties which are authorized by this Act, shall be a lien upon the property of any person, firm, or corporation liable for taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or relating to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of taxes levied under the authority of this Act. The taxes authorized by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Lawrence County.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective on the first day of the second month next following the date of this enactment.

W. J. Lee, Jr.

26-4.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1957.

ARTHUR F. SLATON.

Sworn to and subscribed before me July 31, 1957.

WANDA C. BOYLES,
Notary Public.

Also:

By Mr. Cox:

H. 968. To alter or re-arrange the boundary lines of the City of Boaz, Marshall County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

AN ACT

To alter or re-arrange the boundary lines of the City of Boaz, Marshall County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Marshall and Etowah Counties, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Boaz, Marshall County, Alabama, be, and the same are hereby altered or re-arranged so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto in Marshall and Etowah Counties, Alabama, all of which territory is more particularly described as being all the territory lying within the counties of Marshall and Etowah, State of Alabama, included and embraced within the following stated boundaries, to-wit:

Beginning at the Southeast corner of Section 6, Township 10 South, Range 5, East, thence running north and along the east line of Sec. 6, Township 10 South, Range 5, East, and the east line of Section 31, Township 9 South, Range 5, East, a distance of one and three-fourths miles, to the Southeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 9, South, Range 5, East, thence west along the quarter section lines to the SW corner of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 31, Township 9 South, Range 5, East, thence North and along the half-mile lines one and one-fourth miles to the Northeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 9 South, Range 5, East, thence West on section line one mile to the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 24, Township 9 South, Range 4, East, thence South one mile to the Southwest corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, Township 9 South, Range 4 East, thence West along the Section line one-fourth mile to the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 9 South, Range 4, East, thence South $\frac{3}{4}$ mile to the Northwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 9 South, Range 4. East, thence west one-half mile and to the Northwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 36, Township 9, South, Range 4 East, thence South $1\frac{1}{4}$ miles to the Southwest corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 2, Township 10, South, Range 4, East, thence East and along the Section line $1\frac{1}{4}$ miles to the Northwest corner of Section 7, Township 10, Range 5, East, thence South and along the section line $1\frac{1}{4}$

miles to the Southeast corner of the NE¼ of the NE¼ of Section 13, Township 10 South, Range 4, East, thence East one-half mile along quarter section line to the Southeast corner of the NE¼ of the NW¼ of Section 18, Township 10 South, Range 5, East, thence North along the half-mile line 1¼ miles to the north line of Section 7, Township 10, South, Range 5, East, thence East and along the north line of said Section 7 to the point of beginning, to-wit: the Southeast corner of Section 6, Township 10 South, Range 5, East; the territory above described as being in Section 7, and Section 18, Township 10, Range 5, East lying and being in Etowah County, Alabama and the remaining territory described lying and being in Marshall County, Alabama.

Section 2. That the boundaries set out in Section 1 of this Act be, and the same are hereby established as the Corporate Limits of the City of Boaz, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute the City of Boaz, Marshall and Etowah Counties, Alabama.

Section 3. That all laws and parts of laws, general, special and local, in conflict with this Act be and the same are hereby repealed.

Section 4. That this Act shall go into effect upon its approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County and in said State, this day personally appeared Nila W. Riseling, who, being by me duly sworn, deposes and says that during the times herein mentioned he was one of the publishers of the Boaz Leader, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 25, May 2, May 9, and May 16, all in the year 1957.

NILA W. RISELING.

Sworn to and subscribed before me this 10 day of June, 1957.

LEROY SUMNERS,
Notary Public of Marshall County, Alabama.

Also:

By Messrs. Murphy, Simon and Tyson:

H. 971. To amend Section 2 of Act No. 843, General Acts of 1953, page 1135, entitled "An Act relating to the powers of municipalities: to authorize the governing body of any city or town to alienate municipal property which is not needed for public or municipal purposes," to provide that in counties having a population of not less than 225,000 and not more than 400,000 inhabitants, according to the last or any subsequent federal decennial census, the limitation of the term of such leases to a period of ninety-nine years shall not apply to any oil, gas or mineral lease made in accordance with such ordinance.

Also:

By Mr. Tyson:

H. 969. To alter or rearrange the boundary lines of the municipality of Bayou La Batre, so as to include within the corporate limits

of the municipality territory not already included therein; to provide for assessing for ad valorem taxation the property added to the municipality when certain services are rendered to the property owners and persons residing therein or are made available to them; to describe the services to be rendered and to exempt from taxation property added to the municipality by the extension of its boundaries when such services are not available or rendered; and to require the County of Mobile to continue to maintain the streets and roads in such added territory until such time as the property in such territory is assessed for taxation by the municipality.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter or rearrange the boundary lines of the municipality of Bayou la Batre, so as to include within the corporate limits of the municipality territory not already included therein; to provide for assessing for ad valorem taxation the property added to the municipality when certain services are rendered to the property owners and persons residing therein or are made available to them; to describe the services to be rendered and to exempt from taxation property added to the municipality by the extension of its boundaries when such services are not available or rendered; and to require the County of Mobile to continue to maintain the streets and roads in such added territory until such time as the property in such territory is assessed for taxation by the municipality.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the municipality of Bayou la Batre, in the County of Mobile and the State of Alabama, are hereby altered and rearranged so as to include within the corporate limits of the municipality all of that territory lying within and included in the following boundaries:

Beginning at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 27, Township 7 South, Range 3 West, run thence West 2640 feet, more or less, to the North-South center line of Section 27, Township 7 South, Range 3 West; run thence South 5,280 feet, more or less, along the North-South center line of said Section 27 and Section 34 of said Township and Range, to the Northeast corner of the Southeast quarter of the Northwest quarter of said Section 34; run thence West a distance of 1320 feet, more or less, to the Northwest corner of the Southeast quarter of the Northwest quarter of Section 34; run thence South 2640 feet, more or less, to the Northeast corner of the Southwest quarter of the Southwest quarter of said Section 34; run thence West 1320 feet, more or less, to the Northwest corner of the Southwest quarter of the Southwest quarter of said Section 34; run thence South along the West line of said Section 34 and the West line of Section 3, Township 8 South, Range 3 West, to the North margin of Portersville Bay;

run thence Eastwardly along the North margin of said Portersville Bay to the North-South center line of the East half of Section 2, Township 8 South, Range 3 West; run thence North along said North-South center line of the East half of Section 2, to the Southwest corner of the Southeast quarter of the Southeast quarter of Section 35, Township 7 South, Range 3 West; run thence East 1320 feet, more or less, to the Southwest corner of Section 36, Township 7 South, Range 3 West; run thence North 1320 feet, more or less, along the West line of said Section 36, to the Northwest corner of the Southwest quarter of the Southwest quarter of said Section 36; run thence East 1320 feet, more or less, to the Northeast corner of the Southwest quarter of the Southwest quarter of said Section 36; run thence North 2640 feet, more or less, to the Southwest corner of the Northeast quarter of the Northwest quarter of said Section 36; run thence East 1320 feet to the Southeast corner of the Northeast quarter of the Northwest quarter of said Section 36; run thence North 1320 feet, more or less, to the Southwest corner of the Southeast quarter of Section 25, Township 7 South, Range 3 West; run thence East 2640 feet, more or less to the Southeast corner of said Section 25; run thence North 1320 feet, more or less, to the Northeast corner of the Southeast quarter of the Southeast quarter of said Section 25; run thence West 2640 feet, more or less, to the Southeast corner of the Northeast quarter of the Southwest quarter of said Section 25; run thence North along the North-South center line of said Section 25, a distance of 1360 feet, more or less, to the North margin of a road or lane; thence run West 1320 feet, more or less, along the North margin of said road or lane, to the East line of the Southwest quarter of the Northwest quarter of said Section 25; thence North a distance of 3920 feet, more or less, to the Northeast corner of the Southwest quarter of the Southwest quarter of Section 24, Township 7 South, Range 3 West, thence West 1320 feet to the East line of Section 23, Township 7 South, Range 3 West; thence North along the East line of said Section 23, 1980 feet, more or less, to the Northeast corner of the Southeast quarter of the Southeast quarter of the Northeast quarter of said Section 23; thence West 1320 feet, more or less, to the Northwest corner of the Southwest quarter of the Southeast quarter of the Northeast quarter of said Section 23; thence South 3300 feet, more or less, to the North line of Section 26, Township 7 South, Range 3 West; thence West 1320 feet, more or less, to the Northwest corner of the Northeast quarter of said Section 26; thence South 1320 feet, more or less, to the Southwest corner of the Northwest quarter of the Northeast quarter of said Section 26, which corner lies on the North line of the present city limits of Bayou la Batre; thence West along the center line of the Northeast quarter of said Section 26, 2640 feet to the East line of said Section 26; thence South, along the East line of said Section 26 and Section 35, Township 7 South, Range 3 West, a distance of 5,280 feet to the Southeast corner of the Northeast quarter of the Northeast quarter of said Section 35; thence West along the center line of the North half of said Section 35, 5,280 feet to the West line of said Section 35; thence North, along the West line of said Section 35 and Section 26, Township 7 South, Range 3 West, 5,280 feet to the point of beginning.

References to all Sections, Townships and Ranges herein are made as if all such Sections, Townships and Ranges were regularly located within the government survey.

Section 2. Any area which is located within the boundaries of the Town of Bayou la Batre as set out in Section 1 above, but which was not a part of the Town of Bayou la Batre prior to the passage of this act fixing the above said boundaries, shall not be subject to assessment for ad valorem taxation by the Town of Bayou la Batre until the said Town of Bayou la Batre shall make available, furnish or cause to be

furnished through any board whose members are appointed by the Town of Bayou la Batre, to said area the residents thereof the following municipal services: Police protection, fire protection, street lighting, water service and street maintenance. The Town Council of the Town of Bayou la Batre each year when it adopts an ordinance assessing real property within the Town of Bayou la Batre for ad valorem taxation shall describe in said ordinance the area which has previously been subject to the city's ad valorem taxation and shall describe in addition thereto such other areas within the boundaries as set out in Section 1 above in which the Town Council is furnishing all of the above described services during the year for which said ad valorem taxes being levied; the said ordinance shall also describe the areas within the Town of Bayou la Batre where all of said services are not being rendered and shall exempt such areas from city ad valorem taxation for said year.

Section 3. Any roads or streets which are located in those areas which are exempted from ad valorem taxation by the Town of Bayou la Batre shall be maintained by the County of Mobile until such time as aforesaid areas are assessed for the Town of Bayou la Batre ad valorem taxation.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

Wm. A. Curran being sworn, says that he is Auditor of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press-Register July 7, 14, 21, 28, 1957.

WM. M. CURRAN.

Sworn to and subscribed before me this 28th day of July, 1957.

ALVIN A. JOHNSON,
Notary Public.

Also:

By Messrs. Dawkins, Hall, Goodwyn and Nolen:

H. 973. To regulate further the power and authority of cities having a population of not less than 75,000 nor more than 125,000, according to the last or any subsequent federal decennial census, to levy or impose privilege license taxes.

Also:

By Messrs. Callahan and deGraffenried:

H. 976. Relating to Counties having a population of not less than 94,000 nor more than 134,000 inhabitants according to the last or any subsequent decennial census of the United States; to amend Section 4 of Act No. 287, approved August 23, 1955, which regulates the business of operating certain cemeteries within such Counties of not less than 94,000 nor more than 134,000 inhabitants according to the last or any

subsequent decennial census of the United States; and provides for the original deposit of the sum of twenty-five thousand dollars in cash in the Endowment Care Fund.

Also:

By Messrs. Lackey, Edwards (Jefferson), Vacca, Adams (Jefferson), Kaul and Perry:

H. 958. To Amend Section 5 of Act No. 248 of the Legislature of Alabama of 1945 (General Acts of 1945, pages 376-400), as amended by Act No. 345, approved August 15, 1947 (General Acts of the Legislature of Alabama of 1947, pages 222-229), as amended by Act No. 17, First Special Session of 1956, approved January 27, 1956 (General Acts of the Legislature of Alabama First Special Session of 1956, pages 32-37), as amended by Act No. 97 First Special Session of 1956, approved April 14, 1956 (General Acts of the Legislature of Alabama First Special Session of 1956, pages 414-419).

Also:

By Messrs. Lackey, Edwards (Jefferson), Vacca, Nice, Kaul and Perry:

H. 959. To authorize the board of education having jurisdiction of each city or county school system within all counties in Alabama having a population of not less than 400,000 inhabitants according to the last or any subsequent Federal census and which shares in the proceeds of any special county privilege or license taxes and excise taxes, which parallel the state sales and use taxes and are levied in such county for purposes of public school construction and operation, to issue bonds and borrow money for the purposes for which such special county privilege or license taxes and excise taxes are imposed, and to pledge the proceeds of such taxes for the payment of the principal of and the interest on such bonds; to regulate and provide for the issuance of such bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used for the investment of trust funds, and shall not create a general obligation of either the county or any municipality within the county; to provide for the refunding of such bonds; and to provide that the principal of and interest on such bonds shall be payable solely from the proceeds of such special county privilege or license taxes and excise taxes, but that such bonds shall nevertheless constitute negotiable instruments.

Also:

By Messrs. Lackey, Edwards (Jefferson), Vacca, Nice, Kaul and Perry:

H. 960. To authorize the County Commission, Board of Revenue or like governing body in all counties having a population of not less than 400,000 inhabitants according to the last or any subsequent Federal census to levy additional privilege license and excise taxes for purposes of public school construction and operation within such county, such taxes to parallel the state sales and use taxes provided for in Section 752 through Section 811, and Articles 10 and 11, Chapter 20, Title 51, Code of Alabama (1940), as amended and supplemented, when such a levy is approved at an election called for such purpose; providing for the ordering and holding of such election; providing for the collection of such taxes by the State Department of Revenue, and for the distribution of the proceeds thereof; providing for the enforcement of the Act; and providing penalties for violations of the Act.

Also:

By Messrs. Vacca, Lackey, Adams (Jefferson), Edwards (Jefferson), Kaul, Nice and Perry:

H. 961. To amend Section 799, Title 37, of the 1940 Code of Alabama.

Also:

By Messrs. Kaul, Nice, Lackey, Vacca, Edwards (Jefferson), Perry and Adams (Jefferson):

H. 962. Relating to counties having a population of 500,000 or more, according to the last or any subsequent federal decennial census; providing further for the filling of vacancies which occur in certain public offices.

Also:

By Messrs. Hall, Goodwyn, Dawkins and Nolen:

H. 821. To provide for the payment of pensions and other benefits to employees of the State, or of any political subdivision of the State, whose compensation is paid from funds derived from more than one unit of government.

Also:

By Mr. Franklin:

H. 896. To alter or re-arrange the boundary lines of the Town of Goodwater, Coosa County, Alabama so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Coosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that at the present regular Session of the Legislature of Alabama a bill will be introduced for passage, which in substance, will be substantially as follows:

AN ACT

To alter or re-arrange the Boundary lines of the Town of Goodwater, Coosa County, Alabama so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Coosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the town of Goodwater, Coosa County, Alabama, be, and the same are altered or re-arranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory in Coosa County, Alabama; all of which territory is more particularly described as being all of the territory lying within the County of Coosa, State of Alabama, included and embraced within the boundaries herein set out, to-wit:

Begin at center of Section 14, T 24 N, R 20 E, which point is approximately, one mile East of the United States Post Office at Goodwater, Alabama, thence North along one-half section line through section 14 to center of section 11, thence West along one-half section line through section 11, and 10 to center of section 9, thence South along one-half section line through section 9, 16, 21 to center of section 28, thence East along one-half section line through section 28, 27 to center of section 26, and thence North along one half section line through section 26, 23 and to center of section 14, which point is the point of beginning. Said area being in T 24 N and R 20 E, in Coosa County, Alabama.

Section 2. That the boundaries set out in Section One of this act be, and the same are hereby, established as the corporate limits of said Town of Goodwater, Coosa County, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute the Town of Goodwater, Alabama.

Section 3. That all laws and part of laws, both general, special and local in conflict with this act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its passage and approval by the governor.

DUNCAN S. BROWN, JR.
Mayor of Town of
Goodwater, Alabama

Jy-4-11-18-25-c

PROOF OF PUBLICATION

STATE OF ALABAMA TALLAPOOSA COUNTY

Before me, T. C. Wolsoncroft, a Notary Public in and for said county, in said State, personally appeared J. C. Henderson, publisher of The Enterprise-Chronicle, a newspaper published at Goodwater, Coosa County, Alabama, and who being duly sworn, deposes and says that the attached Notice of Proposed Legislation has been regularly published once a week for four consecutive weeks in said newspaper on dates of issue as follows: July 4, July 11, July 18, and July 25, 1957.

J. C. HENDERSON.

Sworn to and subscribed before me this the 26 day of July, 1957.

T. C. WOLSONCROFT,
Notary Public.

My commission expires June 14, 1959.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 946, 947, 948, 951, 952, 953, 966, 968, 971, 969, 973, 976, 958, 959, 960, 961, 962, and 896—To the Committee on Local Legislation.

H. B. 821—To the Committee on Judiciary.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Tyson, Speaks, Goodwyn, Simon and Perry:

H. 708. To propose an amendment to the Constitution of Alabama that the Court of Appeals be constituted as the Court of Criminal Appeals with final, exclusive, and irrevocable supreme appellate jurisdiction

coextensive with the limits of the State in all criminal and quasi-criminal cases of whatsoever grade; and with power to issue such original, remedial, and extraordinary writs as may be necessary to give it a general superintendency and control of inferior jurisdictions; that the judges of the Court of Appeals holding office at the time said amendment shall become effective, or who shall be elected to a future term on the Court of Appeals, shall constitute the judges of said court for the remainder of the terms for which they were chosen as judges of the Court of Appeals; and that appeals from death sentences shall be heard by said court augmented by four justices of the Supreme Court selected in rotation by the Chief Justice.

Also:

By Messrs. Tyson, Speaks, Goodwyn, Simon and Perry:

H. 709. To provide for the Court of Criminal Appeals of Alabama.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 708 and 709—To the Committee on Constitution and Constitutional Revision and Amendments (The above numbered bill, H. B. 708 was read at length as required by the Constitution.)

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Hawkins:

H. 569. To propose an amendment to the Constitution forbidding enactment of a law placing responsibility for construction and maintenance of county roads in the State Highway Department or other state agency unless authorized by a vote of the qualified electors of the county.

Also:

By Messrs. Nolen, Taylor, Killough, Brannan, Solomon, Mathison, McKay, Payne, Callahan, Gregory, Harvey, Locke (Perry), Albea, Merrill, Selman, Martin, Ashworth, Lee (Barbour), Crook, McLendon, Gilchrist, Summerlin, Lackey, Goodwyn, deGraffenried, Reynolds, Simon, Tyson, Bradford, Nettles, Oakley, Law, Holliman, Stokes, Pirkle, Windle, Brown (Lamar), Huddleston, Gist, Speaks, Edwards (Jefferson), Perry, Nice, Faulk, Grouby, Cornett, Dawkins, Wood, Bassett, Hanby, Hawkins, Ramey, Shumate, Lee (Lawrence), Vacca, Money, DeSear, Hall, Stembbridge, Steagall, Hain, Mathews, Johnson. (Elmore), Kirkham, Fite, Hardy, Thomas, Dement, Brassell, Dickson, Boyd, Edwards (Escambia), McNider, Hodges, McClendon, Johnson (Tallapoosa), Brown (Lee), Haltom, Roberts, Jenkins, Oden, Branyon, Kelly, Davis and Gilmer:

H. 714. To exempt the home of a veteran acquired pursuant to the provisions of Public Law 702, 80th Congress, as amended, from all ad valorem taxation, so long as the same is owned and occupied as a home by the veteran or his unmarried widow.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 569—To the Committee on Constitution and Constitutional Revision and Amendments.

(The above bill was read at length as required by the Constitution)

H. B. 714—To the Committee on Finance and Taxation.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Fite:

H. 857. To provide for and define mining partnerships; to regulate the same, and provide for the disposition or conveyance of the property of mining partnerships and the individual members thereof.

Also:

By Mr. Dawkins:

H. 936. To make an additional appropriation to the Armory Commission of Alabama for the fiscal year ending September 30, 1957, to be used for the purpose of acquiring land for the construction of additional armory facilities.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 857—To the Committee on Local Legislation

H. B. 936—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The Speaker of the House having signed the following House Joint Resolution, your signature thereto is requested.

H. J. R. 82. Relative to mourning the death of Dr. Raymond Ross Paty and extending sympathy to his family.

OAKLEY MELTON, JR.,
Clerk.

SIGNING OF HOUSE JOINT RESOLUTION

The President of the Senate, in the presence of the Senate, after the reading thereof at length had been dispensed with by a two-thirds vote of a quorum of the Senate present, and immediately after its title had been publicly read at length by the Secretary of the Senate, signed the foregoing House Joint Resolution; the title of which is set out in the foregoing message from the House.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 75. Relative to advertising of alcoholic beverages.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

RECESS

At 12:33 P. M., on motion of Mr. Lamberth, the Senate took a recess until 2:15 this afternoon.

AFTERNOON SESSION

TWENTY-SEVENTH LEGISLATIVE DAY

FRIDAY, AUGUST 9, 1957

The Senate reassembled at 2:15 P. M., Lieutenant Governor Hardwick presiding.

ROLL CALL

Present:

Messrs.:	Dyar	Jones	Robison
Allen	Eddins	Lamberth	Shelton
Boutwell	Engelhardt	Leonard	Skidmore
Bradford	Flowers	Little	Smith
Calvin	Givhan	Metcalf	Tate
Cantrell	Goodwin	Moses	Van Antwerp
Cooper	Grisham	Newton	Vann
Davis (Lowndes)	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	James	Roberts	Yarbrough (Randolph)

—35

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Dawkins, Hall, Lee (Barbour), and Lackey:

H. 717. To provide administrative consultants for the constitutional executive officers of the state government; to prescribe the conditions under which a constitutional executive officer of the Senate may become such an administrative consultant; to prescribe the qualifications, tenure of office, duties, compensation, and method of removal of such

administrative consultants; and to make an appropriation for the payment of their compensation.

Also:

By Messrs. Dawkins and Martin:

H. 716. To provide that all duty, obligation, and requirement imposed upon the Board of Corrections to pay court costs in certain criminal cases be transferred to the Comptroller.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committee, as follows:

H. B.'s 717 and 716—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Faulk:

H. 865. To authorize the director of public safety to adopt standards and specifications and promulgate rules and regulations applicable to lighting equipment on and special warning devices to be carried by motor vehicles operated by rural mail carriers.

Also:

By Mr. Faulk:

H. 507. To provide for the construction of rural mailbox turnouts on Alabama highways.

Also:

By Messrs. deGraffenried, Martin, Oden, Burkhalter, Lee (Lawrence), Speaks, Dement, Kelly, Gregory, Grouby, Davis, Ferrell, Kendall, Selman, Shumate, Reynolds, Cox, Holliman, Kirkham, Roberts, Wood, Stokes, Bassett, Money, Vacca, McNider, Hunt, Love, Branyon, Ward, Taylor, Harvey, Brassell, Fite, Ramey, Payne, Adams, (Tallapoosa), Mathison, Edwards (Escambia), Brown (Lamar), Broadfoot, Franklin, Simon, Hodges, Huddleston, Solomon, Locke (Choctaw), Mathews, Hanby, Hawkins, Dawkins, Brooks, and Callahan:

H. 620. To amend Section 7 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to clarify the provisions of said act and so as to eliminate certain provisions of said act respecting the priority of pledges that may hereafter be made for the benefit of refunding bonds issued thereunder.

Also:

By Messrs. Albea, Lee (Barbour), Thomas, Kelly, Faulk, Ferrell, Ashworth, Pirkle, and Selman:

H. 532. To amend Section 15 of Title 51, Code of Alabama (1940), which exempts homesteads from ad valorem taxes.

Also:

By Mr. Faulk:

H. 342. To exempt bona fide residents sixty-five years of age or older from the license fee imposed for the privilege of hunting.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 865, 507 and 620—To the Committee on Judiciary

H. B.'s 532 and 342—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hanby, Oden, Wood, and Locke (Choctaw):

H. 40. To provide authority for the Director of Conservation to prescribe rules and regulations for the conducting of geophysical and seismic exploratory work on State-owned lands or water bottoms

Also:

By Messrs. Hanby, Oden, Wood, and Locke (Choctaw):

H. 441. To authorize the State Oil and Gas Board at their discretion to specify and designate the size of drilling units on State-owned water bottoms South of the Mobile Bay Causeway in Mobile Bay, Mississippi Sound and the Gulf of Mexico.

Also:

By Mr. Hanby:

H. 258. To amend Section 6 of Act No. 158, 1956 General Acts, First Special Session, page 224, entitled "An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act."

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Mes-

sage from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B. 40—To the Committee on Fish and Game

H. B.'s 41 and 258—To the Committee on Forestry and Conservation

BILLS ON THIRD READING

The Bill:

H. 249. To fix the compensation of the deputies and other assistants to the sheriff of Walker County; and to repeal conflicting laws.

Was taken up by unanimous consent.

Mr. Newton offered the following amendment to the bill, to-wit:

Amend the bill, H. B. 249, as follows:

Add the following sentence at the end of Section 1 of the bill: "It is provided, however, that no person who is related to the sheriff within the Fourth degree of kinship shall be paid any compensation as provided in this Act for any service rendered as deputy, bailiff, or jailer, on or after the first day of the month next following the date of this enactment."

Which was adopted.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Cooper	James	Robison	Van Antwerp
Davis (Lowndes)	Jones	Shelton	Vann
Davis (Pickens)	Lamberth	Skidmore	Yarbrough (Autauga)
Dyar	Newton	Smith	Yarbrough (Randolph)
Grisham	Reeves		—21

Nays: —0

And the bill, as thus amended, was then read a third time at length and passed.

Yeas 21; Nays 0.

Yeas:

Messrs.:	Hall	Roberts	Tate
Cooper	James	Robison	Van Antwerp
Davis (Lowndes)	Jones	Shelton	Vann
Davis (Pickens)	Lamberth	Skidmore	Yarbrough (Autauga)
Dyar	Newton	Smith	Yarbrough (Randolph)
Grisham	Reeves		—21

Nays: —0

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Mr. Davis:

H. 453. To authorize and provide for the abandonment and disposal of cemeteries and cemetery lands, or parts of either in any city or town by cemetery corporations and associations, including religious bodies,

corporations sole, or other persons owing or controlling such cemeteries, and authorizing and providing for the removal of the human remains or the depositing of the same in a mausoleum or columbarium.

Also:

By Messrs. Hawkins and Dawkins:

H. 5. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Also:

By Messrs. Kendall, Hare, Brannan, Summerlin and Stokes:

H. 781. To amend further Section 10 of Title 37, Code of Alabama 1940, which relates to the incorporation of cities and towns.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. 453—To the Committee on Public Health

H. 5—To the Committee on Finance and Taxation

H. 781—To the Committee on Municipalities and Municipal Organizations

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and passed the following House bills:

By Messrs. Hanby, Oden, Wood and Locke (Choctaw):

H. 38. To amend Section 15 of Act No. 1, H. 46, approved May 22, 1945 (General Acts of Alabama, 1945, p. 1) entitled "An Act to conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," which relates to the method of appeals from the State Oil and Gas Board.

Also:

By Messrs. Hanby, Oden, Wood and Locke (Choctaw):

H. 39. To amend Section 12 of Act No. 2, H. 47, approved May 19, 1945 (General Acts of Alabama, 1945, P. 20), entitled "An Act To provide for additional revenue by levying a privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters, of the State of Alabama; to require all parties engaged in severing such natural resources to set up, keep, and maintain full and complete records of the severance of such resources; to prescribe the method of collecting and enforcing the payment of such tax; to provide for the distribution of the taxes collected; to provide for penalties and

punishment and for restraining orders for the violation of the terms and provisions of this Act; and to exempt such products on producing properties and all leases in production, including mineral rights in producing properties, from ad valorem taxes," by providing further for the size of producing oil and gas units exempt from ad valorem taxes.

Also:

By Messrs. Hanby, Oden, Wood and Locke (Choctaw):

H. 42. To amend Section 10 of Act No. 1, H. 46, approved May 22, 1945, (General Acts of Alabama, 1945, p. 1), entitled "An Act To conserve natural resources of the State of Alabama and to prevent the waste thereof by providing for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama and to provide funds therefor by the levy of a charge of twenty-five dollars upon each well drilled in search of oil and gas in Alabama and a tax equal in amount to two per cent of the gross value, at the point of production, of oil and gas produced in Alabama," by prescribing further the power of the State Oil and Gas Board to adopt, promulgate, and issue rules, regulations, and orders.

And ordered same sent forthwith to the Senate without engrossment.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

The House Bills, the titles of which are set out in the foregoing Message from the House, were severally read one time and referred to appropriate Standing Committees, as follows:

H. B.'s 38 and 42—To the Committee on Forestry and Conservation

H. 39—To the Committee on Finance and Taxation

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

By Mr. Dement:

H. 791. To authorize and require the governing body of Limestone County to place certain plaques or markers on the Vaughan-Easter Ferry Bridge, which is located within that county.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the following joint resolution:

S. J. R. 77—Relative to adjournment of the two Houses to meet again on Tuesday, August 13, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 127. To amend Section 1 of an act approved August 3, 1955, entitled "An Act To provide further for the compensation of the circuit solicitor in circuits composed of one county and having not less than four nor more than nine circuit judges," (Act No. 210, H. 699, Acts of 1955, Vol. I, p. 515).

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 745. To apply to all counties having a population in excess of 500,000 inhabitants, according to the last or any subsequent federal decennial census; providing for the licensing of persons engaged in the business of cleaning septic tanks; imposing license and permit fees; providing for enforcement of the Act and prescribing penalties.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has concurred in and adopted the Senate amendment to the following House bill:

H. 253. To provide for development by the State of Alabama, through the Alabama State Docks Department, of docks and facilities of every kind along navigable waterways of the State in aid of commerce and use of such waterways; to implement, when ratified, the provisions of a Constitutional Amendment submitted by the Legislature of Alabama authorizing the State to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State and authorizing the State to engage in such works at a cost of not exceeding \$3,000,000 and to incur indebtedness not exceeding in aggregate \$3,000,000 of principal indebtedness and authorizing the pledge of the faith and credit of the State to the payment of such indebtedness; to authorize the State to engage in such works of internal improvement; to designate the Alabama State Docks Department as the agency of the State to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of the Alabama State Docks Department in connection therewith and the authority of the Director of State Docks with regard thereto; to provide that the provisions of this Act shall be supplemental of and in addition to the provisions of any other laws relating to the Alabama State Docks Department; to authorize the State to become indebted to the extent of not exceeding \$3,000,000 of principal indebtedness to carry out the provisions of this Act; to provide for the issuance of direct general obligation bonds of the State for the repayment of such indebtedness and interest thereon; to prescribe in general the terms of such bonds and the method and manner of issuance thereof; to exempt the same and the interest thereon from taxation; to

provide for the payment of any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide the use of funds obtained pursuant to the provisions of this Act; to provide for the acquisition and use of property under the terms of this Act and for exercise of the power of eminent domain with regard thereto; and to prescribe the powers, duties and responsibilities, in carrying out the purposes of this Act, of the Governor, the Alabama State Docks Department and the Director of State Docks and other officers of the State with regard to such development and use, the financing of such developments and use, the incurring of indebtedness by the State for such purpose and the method of repayment thereof, and the pledge of the general faith and credit of the State with regard thereto; to authorize the Alabama State Docks Department to fix reasonable rates of charges for services for use of facilities established pursuant to this Act and to provide an effective date of this Act.

OAKLEY MELTON, JR.,
Clerk.

MESSAGE FROM THE HOUSE

Mr. President:

The House has originated and adopted the following joint resolution:

By Mr. Callahan:

H. J. R. 85. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, the Senate concurring that H. B. No. 164, pertaining to the retired teachers of Alabama, which has passed both Houses be named the Callan, deGraffenried, Skidmore, Fite, Speaks, Vann, Ashworth, Moses, Harrison, Dawkins, Goodwyn, Hanby, Adams (Jefferson), Adams (Tallapoosa), Albea, Bassett, Boyd, Bradford, Branyon, Brassell, Brewer, Broadfoot, Brooks, Brown (Lamar), Brown (Lee), Cornett, Cox, Dement, DeSear, Dickson, Edwards (Escambia), Edwards (Jefferson), Faulk, Ferrell, Franklin, Gilchrist, Gilmer, Gist, Gregory, Grouby, Hall, Haltom, Hare, Harvey, Hawkins, Hodges, Holliman, Huddleston, Hunt, Jenkins, Johnson (Tallapoosa), Kelly, Kendall, Killough, Kirkham, Lackey, Lee (Barbour), Lee (Lawrence), Locke (Choctaw), McClendon, McKay, McLendon, McNider, Martin, Mathews, Mathison, Merrill, Murphy, Nettles, Nice, Nolen, Oakley, Oden, Payne, Perry, Pirkle, Ramey, Richardson, Selman, Shumate, Solomon, Steagall, Stembbridge, Stokes, Summerlin, Taylor, Thomas, Tyson, Vacca, and Windle Bill.

And sends same herewith to the Senate for its consideration.

OAKLEY MELTON, JR.,
Clerk.

HOUSE MESSAGE

On motion of Mr. Skidmore, the rules were suspended and the Senate concurred in and adopted the resolution, H. J. R. 85, which said resolution is set out in the foregoing Message from the House.

REPORTS OF COMMITTEES

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee, in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, with substitute, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Lamberth, Roberts and Flowers (with substitute):

S. 19. To make appropriations for the ordinary expenses of the ex-

ecutive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

By Messrs. Hawkins and Dawkins (with substitute):

H. 11. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1958 and September 30, 1959, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of the Alabama Polytechnic Institute, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teacher's Retirement System.

Mr. Lamberth, Chairman of the Standing Committee on Finance and Taxation, reported that said Committee in Session, had acted on the following bills and ordered same returned to the Senate with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

By Messrs. Yarbrough (Autauga) and Lamberth:

S. 397. To provide for the operation of Thorsby Institute in Chilton County as a high school in the public school system of said county; making appropriations for that purpose.

By Messrs. Gilmer et al:

H. 833. To propose an amendment to the Constitution of Alabama authorizing and providing for the issuance of not more than four million five hundred thousand dollars (\$4,500,000) in principal amount of general obligation bonds of the State of Alabama for building, construction and improvement purposes at The Alabama Polytechnic Institute at Auburn.

The above bill was read a second time at length as required by the Constitution.

MOTION TO ADJOURN LOST

At 3:11 P. M., Mr. Eddins moved that the Senate do now adjourn until Tuesday, August 13, 1957 at 12 o'clock Noon, which motion was lost.

Yeas 12; Nays 21.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Little
Calvin	Eddins	James	Newton
Cooper	Givhan	Jones	Van Antwerp
Davis (Lowndes)			—12

Nays:

Messrs.:	Engelhardt	Moses	Skidmore
Allen	Flowers	Reeves	Smith
Boutwell	Grisham	Roberts	Vann
Bradford	Lamberth	Robison	Yarbrough (Autauga)
Cantrell	Leonard	Shelton	Yarbrough (Randolph)
Dyar	Metcalf		—21

BILLS ON THIRD READING

The Senate proceeded to consideration of the special orders for today, the first of which was the bill:

S. 143. To regulate purchasing by counties.

Mr. Van Antwerp moved that further consideration of the bill, S. B. 143, be postponed until the 32nd Legislative Day.

Mr. Boutwell offered as a substitute motion that further consideration of the bill be postponed until the next Legislative Day and carried over as Unfinished Business.

RESOLUTION

Messrs. Skidmore and Givhan offered the following Senate Resolution, to-wit:

S. R. 78. Resolved, that the Secretary is instructed to make the journal show that the following named Senators voted "aye" on the passage by this house of the bill, H. B. 164:

To provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama and who had attained age sixty as of the date of establishment of the Teachers' Retirement System, September 1, 1941, and who is not and never has been eligible for membership in the Teachers' Retirement System, and to provide old age assistance to any teacher who served a minimum of thirty years as a teacher in the public schools of Alabama, who had attained age 70 as of July 1, 1951 and who was not eligible to become a member of the Teachers' Retirement System as of July 1, 1951, and to provide a supplement to the retirement benefits of certain teachers who are now or will be retired under the provisions of Chapter 14 of the Code of Alabama of 1940 as amended; to set forth the requirements under which said assistance payments shall be granted and to provide for the management of the fund from which said assistance payments shall be made; to repeal Act No. 63 approved June 3, 1953 relating to provisions for old age assistance to teachers; and to provide the appropriations necessary to carry out the provisions of this Act.

Allen Boutwell, Bradford, Calvin, Cantrell, Cooper, Davis (Lowndes), Davis (Pickens), Dyar, Eddins, Engelhardt, Flowers, Givhan, Goodwin, Grisham, Hall, James, Jones, Lamberth, Leonard, Little, Metcalf, Moses, Newton, Reeves, Roberts, Robison, Shelton, Skidmore, Smith, Tate, Van Antwerp, Vann, Yarbrough (Autauga), and Yarbrough (Randolph).

On motion of Mr. Skidmore, the Rules were suspended and the Resolution adopted by the Senate.

MOTION TO ADJOURN LOST

At 3:41 P. M., Mr. Metcalf moved that the Senate do now adjourn until Tuesday, August 13, 1957 at 11 o'clock A. M., which motion was lost.

Yeas 14; Nays 18.

Yeas:

Messrs.:	Davis (Lowndes)	Grisham	Moses
Calvin	Davis (Pickens)	Hall	Newton
Cantrell	Dyar	Jones	Van Antwerp
Cooper	Eddins	Little	—14

Nays:

Messrs.:	Flowers	Reeves	Smith
Allen	Givhan	Roberts	Vann
Boutwell	James	Robison	Yarbrough (Autauga)
Bradford	Leonard	Shelton	Yarbrough (Randolph)
Engelhardt	Metcalf	Skidmore	—18

FURTHER CONSIDERATION OF S. B. 143

The Senate proceeded to further consideration of the bill, S. B. 143.

The question was on the substitute motion offered by Mr. Boutwell that further consideration of the bill be carried over as Unfinished Business until the next Legislative Day.

Mr. Lamberth moved that the motion of Mr. Boutwell be laid on the table. The motion to table was lost.

Yeas 14; Nays 17.

Yeas:

Messrs.:	Flowers	Lamberth	Roberts
Allen	Grisham	Leonard	Skidmore
Bradford	James	Metcalf	Yarbrough (Randolph)
Dyar	Jones	Moses	—14

Nays:

Messrs.:	Davis (Pickens)	Newton	Smith
Boutwell	Eddins	Reeves	Van Antwerp
Calvin	Engelhardt	Robison	Vann
Cooper	Givhan	Shelton	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

The question recurred on the substitute motion offered by Mr. Boutwell, which was adopted. And the bill, S. B. 143, was carried over as Unfinished Business until the next Legislative Day.

Yeas 17; Nays 13.

Yeas:

Messrs.:	Davis (Pickens)	James	Shelton
Boutwell	Dyar	Moses	Van Antwerp
Calvin	Eddins	Reeves	Vann
Cooper	Engelhardt	Robison	Yarbrough (Autauga)
Davis (Lowndes)	Hall		—17

Nays:

Messrs.:	Grisham	Metcalf	Skidmore
Allen	Jones	Newton	Smith
Bradford	Lamberth	Roberts	Yarbrough (Randolph)
Flowers	Leonard		—13

MOTION TO ADJOURN LOST

At 4:10 P. M., Mr. Davis (Lowndes) moved that the Senate adjourn until Tuesday, August 13, 1957, at 12 o'clock Noon, which motion was lost.

Yeas 13; Nays 17.

Yeas:

Messrs.:	Davis (Pickens)	Hall	Moses
Calvin	Dyar	James	Newton
Cooper	Eddins	Jones	Skidmore
Davis (Lowndes)	Givhan		—13

Nays:

Messrs.:	Flowers	Roberts	Van Antwerp
Allen	Grisham	Robison	Vann
Boutwell	Lamberth	Shelton	Yarbrough (<i>Autauga</i>)
Bradford	Leonard	Smith	Yarbrough (<i>Randolph</i>)
Engelhardt	Metcalf		—17

MESSAGE FROM THE HOUSE

Mr. President:

The House has passed the following Senate bill:

S. 303. To provide the sum of \$50,000 in addition to all other sums heretofore provided, for the payment of awards by the Board of Adjustment made during the fiscal year ending September 30, 1957.

And returns same herewith to the Senate.

OAKLEY MELTON, JR.,
Clerk.

BILLS ON THIRD READING RESUMED

The Bill:

S. 9. To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes.

Was taken up.

Messrs. Boutwell and Shelton offered the following substitute for the bill, to-wit:

SUBSTITUTE FOR S. B. 9

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama relative to the authorization of additional taxes on the taxable property within each school district in each county of the State of Alabama for public school purposes: *

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is hereby proposed, and shall become valid as a part thereof when ratified and proclaimed as provided by law:

AMENDMENT

"The several school districts of any county in the State shall have power to levy and collect a special district tax not exceeding fifty cents on each one hundred dollars worth of taxable property in such district for public school purposes;

"in addition to taxes now authorized for public school purposes and in addition to taxes now authorized under Sections 260 and 269 of the Constitution and in addition to taxes now authorized by Amendment III ratified in 1916 and any other Amendment to the Constitution;

"provided, that in no school district may combined special county taxes for public school purposes and special district taxes for public school purposes exceed, in any one year, more than one dollar and twenty cents on each one hundred dollars worth of taxable property; excluding, however, special state taxes authorized by Section 260 of the Constitution for the support and maintenance of the public schools and excluding any taxes authorized by the Constitution to be levied by a city, town, village or other municipal corporation on taxable property situated therein whether or not such taxes may have been heretofore, or may be hereafter, designated for public school purposes;

"provided, that a school district under the meaning of this section shall include incorporated cities or towns, or any school district of which an incorporated city or town is a part, or such other school districts now existing or hereafter formed as may be approved by the county board of education; provided, no more than four school districts, in addition to city school districts, may be approved in any county; further provided, that the rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to the vote of the qualified electors of the district and voted for by a majority of those voting at such election; provided further, that no district tax shall be voted or collected except in such counties as are levying and collecting not less than a three-mill special county school tax;

"provided, the funds arising from the special school tax levied in any district which votes the same independently of the county shall be expended for the exclusive benefit of the district, as the law may direct."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama (1940).

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Which was adopted.

Yeas 29; Nays 1.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Metcalf	Skidmore
Boutwell	Flowers	Moses	Smith
Bradford	Givhan	Newton	Van Antwerp
Calvin	Hall	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Autauga)
Davis (Pickens)	Jones	Robison	Yarbrough (Randolph)
Dyar	Lamberth		—29

Nay: Mr. Davis (Lowndes)

—1

And said bill, as thus amended by the substitute, was then read a third time at length as required by the Constitution and passed and ordered sent forthwith to the House without engrossment.

Yeas 23; Nays 7.

Yeas:

Messrs.:	Dyar	Metcalf	Shelton
Allen	Eddins	Moses	Skidmore
Boutwell	Flowers	Newton	Smith
Bradford	Jones	Reeves	Van Antwerp
Calvin	Lamberth	Roberts	Vann
Davis (Pickens)	Leonard	Robison	Yarbrough (Randolph)

—23

Nays:

Messrs.:	Davis (Lowndes)	Givhan	James
Cooper	Engelhardt	Hall	Yarbrough (Autauga)

—7

The Bill:

H. 234. To fix the compensation of Circuit Solicitors payable from the State Treasury.

Was taken up.

Mr. Cooper offered the following amendment to the bill, to-wit:

Amend Section 1 of the bill, H. B. 234, by striking out the words "ten thousand dollars" and inserting in lieu thereof the words "eight thousand five hundred dollars"

Which was adopted.

Yeas 26; Nays 2.

Yeas:

Messrs.:	Dyar	Lamberth	Shelton
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Moses	Smith
Bradford	Flowers	Newton	Van Antwerp
Calvin	Hall	Reeves	Vann
Cooper	James	Roberts	Yarbrough (Randolph)
Davis (Pickens)	Jones	Robison	

—26

Nays: Messrs.: Davis (Lowndes) and Metcalf —2

And said bill, as thus amended, was then read a third time at length and passed.

Yeas 27; Nays 3.

Yeas:

Messrs.:	Dyar	Lamberth	Robison
Allen	Eddins	Leonard	Skidmore
Boutwell	Engelhardt	Metcalf	Smith
Bradford	Flowers	Moses	Van Antwerp
Calvin	Givhan	Newton	Vann
Cooper	Hall	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones	Roberts	Yarbrough (Randolph)

—27

Nays: Messrs.: Davis (Lowndes), James, and Shelton —3

The Bill:

S. 401. To regulate further the compensation of the deputy circuit solicitor of the Tenth Judicial Circuit who is elected by the people of said circuit.

Was taken up.

The Standing Committee on Judiciary reported the following amendment to the bill, to-wit:

COMMITTEE AMENDMENT TO S. B. 401

Amend the bill, S. B. 401, as follows:

Strike out Section 3 of the bill entirely and insert the following in lieu thereof:

Section 3. This Act shall become effective on the first day of October, 1959.

Which was adopted.

Yeas 30; Nays 0.

Yeas:

Messrs.:	Eddins	Leonard	Shelton
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Bradford	Givhan	Moses	Van Antwerp
Calvin	Hall	Newton	Vann
Cooper	James	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Jones	Roberts	Yarbrough (Randolph)
Dyar	Lamberth	Robison	—30

Nays:

—0

And said bill, as thus amended, was then read a third time at length and passed and ordered sent forthwith to the House without engrossment.

Yeas 28; Nays 2.

Yeas:

Messrs.:	Eddins	Leonard	Robison
Allen	Engelhardt	Little	Skidmore
Boutwell	Flowers	Metcalf	Smith
Bradford	Givhan	Moses	Van Antwerp
Calvin	Hall	Newton	Vann
Cooper	Jones	Reeves	Yarbrough (Autauga)
Davis (Pickens)	Lamberth	Roberts	Yarbrough (Randolph)
Dyar			—28

Nays: Messrs.: James and Shelton

—2

REPORT OF COMMITTEE
ON
REVISION OF THE JOURNAL

Mr. President:

Your Standing Committee on Revision of the Journal begs leave to report that said Committee, in Session has carefully examined the Journal of the Senate for the Twenty-seventh Legislative Day and finds same correct and containing all original entries and references thereto required by the Constitution.

H. P. JAMES,
Chairman.

COMMITTEE REPORT

On motion of Mr. James, the foregoing report was concurred in and the Journal of the Senate for the Twenty-seventh Legislative Day was approved by the Senate.

ADJOURNMENT

At 4:44 P. M., on motion of Mr. Cooper, and in accordance with joint resolution heretofore adopted, the Senate adjourned until Tuesday, August 13, 1957, at 12 o'clock Noon.

Yeas 21; Nays 8.

Yeas:

Messrs.:	Eddins	Little	Shelton
Bradford	Engelhardt	Moses	Skidmore
Calvin	Givhan	Newton	Van Antwerp
Cooper	Hall	Reeves	Vann
Davis (<i>Pickens</i>)	James	Robison	Yarbrough (<i>Randolph</i>)
Dyar	Jones		—21

Nays:

Messrs.:	Flowers	Metcalf	Smith
Allen	Leonard	Roberts	Yarbrough (<i>Autauga</i>)
Boutwell			—8
